

Senate stand recessed until 10:30 o'clock a.m. tomorrow.

Question first on the motion of Senator Martin to adjourn until 10:30 o'clock a.m. tomorrow, the yeas and nays were demanded and the motion was lost by the following vote:

**Yeas—9**

Fuller	Owen
Hardeman	Phillips
Lane	Roberts
Martin	Weinert
Moffett	

**Nays—20**

Aikin	Hudson
Baker	Kazen
Bradshaw	Krueger
Colson	Moore
Crump	Parkhouse
Dies	Ratliff
Fly	Reagan
Gonzalez	Rogers
Hazlewood	Smith
Herring	Willis

**Absent**

Secrest	Wood
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Question next on the motion by Senator Hazlewood to recess until 10:30 o'clock a.m. tomorrow, the motion prevailed by the following vote:

**Yeas—17**

Colson	Lane
Dies	Martin
Fly	Moffett
Fuller	Owen
Hardeman	Roberts
Hazlewood	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	

**Nays—13**

Aikin	Parkhouse
Baker	Phillips
Bradshaw	Ratliff
Crump	Reagan
Gonzalez	Rogers
Herring	Willis
Moore	

**Absent**

Wood

Accordingly, the Senate at 12:30 o'clock p.m. took recess until 10:30 o'clock a.m. tomorrow.

**FIFTY-EIGHTH DAY**

(Continued)

(Tuesday, May 5, 1959)

**After Recess**

The Senate met at 10:30 o'clock a.m. and was called to order by the President.

**Bills and Resolutions Signed**

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. C. R. No. 43, Granting permission to John B. Pruett and wife, Nora Pruett, to sue the State of Texas.

H. C. R. No. 50, Granting the First Hutchings-Sealy National Bank of Galveston permission to sue the State of Texas and the Teacher Retirement System of Texas.

H. C. R. No. 57, Granting Roy Johnson permission to sue the State of Texas.

H. C. R. No. 60, Granting Beverley Patrick Gaines, et al., permission to sue the State of Texas and the Board of Regents of the University of Texas.

H. C. R. No. 61, Granting permission to the Waco Memorial Park to sue the State of Texas and the State Highway Commission.

H. C. R. No. 62, Granting permission to Mrs. Amelia Daywood Samon to sue the State of Texas and/or the State Highway Department of Texas.

H. C. R. No. 63, Granting Robert W. Riddell and D. L. Peterson permission to sue the State of Texas.

H. C. R. No. 72, Granting Fritz Luckenbach of Menard County, Texas, permission to sue the State.

H. C. R. No. 74, Granting Lonnie A. Weber and wife permission to sue the State of Texas.

H. C. R. No. 76, Granting permission to H. S. Wernli and wife, Ruth Wernli, to sue the State of Texas.

H. C. R. No. 80, Granting permission to C. N. Housh and Lester G. Housh, Harris County, Houston, Texas, to sue the State of Texas.

H. C. R. No. 90, Suspending the Joint Rules.

H. C. R. No. 109, Directing the Enrolling Clerk of the House to amend the caption to conform to the body of House Bill No. 110.

H. C. R. No. 113, Suspending the Joint Rules.

H. B. No. 110, A bill to be entitled "An Act providing for an increased membership in City Council Boards of Adjustment and for simple majority concurrence in Board actions; amending Section 7 of Chapter 283, Acts of the Fortieth Legislature, 1927, codified as Article 1011g of Vernon's Texas Civil Statutes; and declaring an emergency."

H. B. No. 791, A bill to be entitled "An Act to amend Article 2338-9 Revised Civil Statutes creating a Juvenile Court and a Court of Domestic Relations so as to authorize Judges of all District Courts to sit for, hear and decide cases pending in the Juvenile Court and Domestic Relations Court of Dallas County, authorizing District Judges of Dallas County to provide for the filing of any case within the jurisdiction of the Juvenile Court and the Domestic Relations Court in either the Juvenile Court or the Domestic Relations Court or in any one or more of the district Courts of Dallas County; and declaring an emergency."

#### Reports of Standing Committees

Senator Kazen by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Transportation, to whom was referred H. B. No. 782, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Transportation, to whom was referred S. B. No. 481, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senator Lane by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 171, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 364, have had the same under consideration and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 317, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 617, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

#### House Bill 782 Ordered Not Printed

On motion of Senator Hazlewood and by unanimous consent H. B. No. 782 was ordered not printed.

#### House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 955, To the Committee on Education.

**Conference Committee on  
Senate Bill 220**

The President announced the appointment of the following Conference Committee on the part of the Senate on S. B. No. 220: Senators Herring, Hardeman, Crump, Dies and Krueger.

**Committee to Escort Lieutenant  
General Schriever to Joint Session**

The President announced the appointment of the following Committee pursuant to the provisions of H. C. R. No. 95 to escort Lieutenant General Schriever to the Joint Session: Senators Moore, Secrest, Herring, Reagan and Gonzalez.

**Senate Resolution 499**

Senator Owen offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, the Honorable R. E. Thomason, Judge of the Federal District Court for the Western District at El Paso, Texas, former member of the Texas State Legislature, former Speaker of the House of Representatives of the State of Texas, former Mayor of the City of El Paso, former United States Congressman of the 16th Congressional District from Texas, beloved citizen of the great State of Texas, and El Paso's foremost citizen and son; and

Whereas, It is the desire of the Senate to welcome this distinguished citizen and accord him full privileges of the Senate floor; now, therefore, be it

Resolved, by the Senate of the State of Texas, That the Honorable Judge R. E. Thomason be welcomed and extended the courtesies and privileges of the Senate.

OWEN  
HERRING  
HARDEMAN  
RATLIFF  
DIES

The resolution was read and was adopted.

Senator Owen by unanimous consent presented the Honorable R. E. Thomason to the Members of the Senate.

**Senate Resolution 500**

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Campus Elementary School of San Marcos, Texas, Hays County, being 31 pupils from the 5th grade, accompanied by their teacher and sponsor, Mrs. Mary Shaw and Mrs. Pat Williams; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students, Mrs. Shaw and Mrs. Williams to the Members of the Senate.

**Senate Resolution 501**

Senator Lane offered the following resolution:

Whereas, Mr. N. B. Hardeman of Memphis, Tennessee, the father of our colleague, the Senator from Tom Green, was born on May 18, 1874, in Tennessee where he has continued to reside throughout his long life; and

Whereas, This outstanding citizen has been a visitor in this body and delivered the invocation upon the convening of its daily session; and

Whereas, This distinguished Tennessean is a famed orator, author, minister and educator and was a co-founder in 1908 of Freed-Hardeman College in Henderson, Tennessee, which he served as President for many years prior to his retirement; and

Whereas, As a minister of the Church of Christ he has engaged in evangelistic and lecture work for some sixty years, in virtually every State in the Union, as well as having traveled in Europe, the Holy Land, the Middle East, Egypt and North Africa; and

Whereas, Some of the friends and former students of Mr. Hardeman are joining in a testimonial dinner and ob-

servance, in Memphis, Tennessee, on the occasion of the eighty-fifth anniversary of his birthday as a tribute to and in recognition of his many contributions to his country as an educator, author, orator and minister of the Gospel; now, therefore, be it

Resolved, by the Senate of the State of Texas, That it join with the many friends of Mr. Hardeman in recognizing his contributions in the capacities aforesaid and as an American citizen to the greater good of mankind and in extending to him its good wishes on the occasion to be observed; and be it further

Resolved, That copies of this resolution, under the official seal of the Senate of Texas be forwarded by the Secretary of the Senate to Mr. Hardeman.

#### LANE

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

#### Senate Concurrent Resolution 70

Senator Hudson offered the following resolution:

S. C. R. No. 70, Suspending Joint Rules to consider S. B. No. 423 at any time.

Resolved, By the Senate, the House concurring, that the Joint Rules be suspended so that S. B. 423 may be considered by the House at any time.

The resolution was read.

On motion of Senator Hudson and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Resolution 502

Senator Hardeman offered the following resolution:

Whereas, The 4080th Strategic Reconnaissance Wing of Laughlin Air Force Base, Del Rio, Texas, under the command of Colonel Andrew Jackson Bratton, Jr., performs missions in the Strategic Air Command which takes it to numerous points of the globe; and

Whereas, Such missions when undertaken and accomplished provide opportunity for establishing and cementing friendly relations with the people of those areas; and

Whereas, It is deemed appropriate to extend the good wishes of the people of the State of Texas whose motto is "Friendship," to the people of the countries visited and present each locality with the Flag of the Lone Star State, through the good offices of the personnel comprising such missions; now, therefore, be it

Resolved, By the Senate of Texas that the 4080th Strategic Reconnaissance Wing of Laughlin Air Force Base of Del Rio, Texas and its personnel be and they are hereby designated and requested to serve as Ambassadors of Good Will and extend the good wishes of the State of Texas to the people of the areas visited by them and to present to such people the Flag of the Lone Star State as an emblem of the friendship we have and bear for them; and be it further

Resolved, That copies of this Resolution, under the official seal of the Senate of Texas be forwarded to Colonel Bratton, by the Secretary of the Senate for the use of the 4080th Strategic Reconnaissance Wing.

The resolution was read and was adopted.

#### Senate Resolution 508

Senator Roberts offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th and 8th grade classes of St. Mary's School, Gainesville, Texas, who are members of the Santa Maria Civics Club, accompanied by their teacher, Sister Mary Rupert, S.S. N.D.; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demon-

strating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Roberts by unanimous consent presented the students and their teacher to the Members of the Senate.

#### Presentation of "Miss Wool of 1959"

The President announced the appointment of the following committee pursuant to the provisions of S. R. No. 365, to escort Miss Beverly Bentley of Albuquerque, New Mexico, "Miss Wool of 1959" to the President's Rostrum: Senators Hardeman, Phillips, Kazen and Crump.

The President presented Senator Hardeman and he presented Miss Bentley to the Members of the Senate.

Miss Bentley then addressed the Senate expressing appreciation for the privilege of being invited to address the Senate.

#### Senate Resolution 504

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 6th grade class from Palm School in Austin, Travis County, Texas, accompanied by their teachers, Mrs. Marguerite Bain and Miss Patricia Burkhardt; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to their class in appreciation of their visit.

The resolution was read and was adopted.

#### Joint Session

(To hear an address by Lieutenant General Bernard Schriever, Commander of Air Research and Development Command.)

The President at 10:55 o'clock a.m. announced that pursuant to the provisions of H. C. R. No. 95 previously adopted by the Senate, that the time had arrived for the Joint Session to hear an address by Lieutenant General Bernard Schriever.

The Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 10:55 o'clock a.m.

The Senators were announced and were admitted and escorted to the seats prepared for them along the aisle.

The Presiding Officer (Senator Hardeman in the Chair) was invited to occupy a seat on the Speaker's rostrum.

General Schriever, accompanied by Mrs. Schriever, Mr. and Mrs. Hans Betzmann, mother and step-father of General Schriever, Colonel Ralph J. Nunziato, Major Thomas E. Farmer and Colonel Philip Kiele and others were announced by the Doorkeeper of the House.

General Schriever's party was escorted to the Speaker's rostrum by Senators Moore, Secrest, Gonzalez, Herring and Reagan on the part of the Senate and Representatives Tunnell, Bartram, Slack, Blaine, Seeligson, Mays, Yezak and Bates on the part of the House.

The Honorable Waggoner Carr, Speaker of the House called the Joint Session to order at 11:00 o'clock a.m.

Senator Hardeman called the Senate to order and announced a quorum of the Senate present.

The Speaker of the House called the House to order and announced a quorum of the House present.

The Speaker announced the purpose of the Joint Session and presented red roses to Mrs. Betzmann, mother of General Schriever and also to Mrs. Schriever. The Speaker then presented Representative Byron Tunnell. Mr.

Tunnell presented General Schriever to the Joint Session.

General Schriever addressed the Joint Session as follows:

In the dangerous times in which we are living, questions of national defense and military weapons tend to occupy a large share of our attention, whether we are politicians, military officers, or private citizens. This emphasis on the military aspects of the Soviet challenge is, I think, quite appropriate. The communist threat is, and always has been, largely a military threat. Communism has never yet won out in any open competition of ideas. Every nation in the communist camp today was forced into it by the naked use of military power. The communists have yet to win control of a single previously independent country by any legitimate means, or even by subversion.

Although we may approach it from different personal perspectives, all of us have a vital interest in our national defenses. The science and technology of the space age gives a life-or-death urgency to questions of national security. It is no exaggeration to say that our very survival as a nation is at stake. Linked inseparably to our own national survival is the survival of the entire free world and free way of life.

It is plain to all of us, I am sure, that the long-range ballistic missile will transform many of our traditional concepts of national defense. The day of the annihilating sneak attack—of massive aggression—is dawning. The advantage of striking the first blow is so great that not merely security but national survival is at stake. We can no longer afford to take undue calculated risks in fixing the level of our military deterrent strength.

Deterrence is a word we hear and read much about these days. Recently I have even heard of some variations—phrases such as minimum deterrence, graduated deterrence, and the like. Without getting into a semantic discussion about differences in shades of meaning, I would like to offer a few of my own thoughts on the subject of deterrent power.

Simply stated, deterrent power is the power to prevent an attack by making it plain to any potential aggressor that he cannot possibly escape destruction even by launching an all-

out surprise onslaught with nuclear weapons.

Ballistic missiles are becoming an essential element in the formula for deterrent capability. They represent a new concept of strategic warfare, which will, in turn, call for new concepts of national defense. I would like to take a few minutes to develop this thought, because it is of the utmost importance to our national survival.

Probably the most striking characteristic of ballistic missiles is the extremely short time that will be available for both action and reaction in a war situation. Once launched, a barrage of enemy missiles would arrive at our bases and our cities in something like half an hour. Interception of incoming missiles would, at the very best, be extremely difficult. Right now, interception is impossible. Furthermore, we can have little assurance at this time of early warning of an attack. The whole problem of active defense is dominated by certain inherent characteristics of space weapons which will always furnish a generous advantage to the attacker. Relatively little offensive effort can offset expensive and elaborate defensive efforts.

To achieve deterrent capability, then, the nature and size of our forces must, at the earliest possible date, be such that they can withstand an attack of many hundreds of missiles launched at us simultaneously—and still retain the capability of devastating the aggressor. We simply don't know when the Soviets, for their part, will achieve the capability for this type of massive aggression; therefore, it is only safe to assume that they will have it sooner rather than later.

I would now like to give you a brief status report on the ballistic missile and space programs under the direction of the Air Force Ballistic Missile Division.

The ICBM ATLAS successfully flew the full 6000-mile distance several months ahead of its original schedule, it will be ready for operational use at Vandenberg Air Force Base in California this summer. Atlas, an intercontinental range ballistic missile, is one of the so-called "heavy" class weapons. It is capable of delivering very large warheads at very long ranges.

A second and more advanced heavy-class ICBM, the Titan, has begun its

flight test phase at Cape Canaveral, Florida with three 100% successful flights in a row. These three successful first flights establish a new record in missile testing. They are testimony to the ever-growing confidence we have in our designs and our procedures.

The Titan was designed from the outset to be stationed in underground sites, where it will be able to survive a savage nuclear attack.

I want to emphasize at this point that both of these heavy-class ICBM's, Atlas and Titan, have a tremendous growth potential. Their range can be greatly extended beyond the nominal 6300 miles that is usually quoted.

What all of these future improvements add up to—and again I stress that they are already scheduled into our program—is the fact that our heavy-class ICBM's can have a long and extremely valuable life in the arsenal of the Strategic Air Command—probably throughout the 1960's. This would be much longer than any modern weapon system, to my knowledge.

Our third ICBM project is the Minuteman. The Minuteman will enjoy certain unique advantages: It will use solid propellants. It will be simpler than its forerunners. It will be operated by fewer personnel. Minuteman missiles will be placed in underground shelters and left unattended for long periods of time, but ready to be fired from remote control centers on a moment's notice. As alternate means, Minuteman missiles can be floated on barges or towed on trailers or railroad cars to create a constantly-moving, widely dispersed striking force that would be virtually impossible for an enemy to locate. The Minuteman, moreover, gives promise of being a major economic breakthrough. This missile, we believe, will mark the first case where a more effective weapon will be produced at a lower cost than its immediate predecessors. This is good news for taxpayers—and remember that I am a taxpayer too.

The Thor, an IRBM, is capable of delivering a heavy warhead to intermediate ranges of 350 to 1700 miles. The Thor has already been deployed in the United Kingdom.

Well, there you have a brief status report. Now let me say a few words about our management setup.

Undoubtedly one of the most chal-

lenging aspects of the assignment that was handed to the Ballistic Missile Division when it was formed in 1954 was the conquest of what we call "lead-time."

We all know that a central characteristic of new science and technology is the speed with which it makes obsolete both commercial products and military weapons. We often see them becoming obsolete, even while the ink is drying on their design blueprints. This means that we have to find ways and means to shorten drastically the length of time between the idea for a new product or weapon and its delivery to the user. This interval between conception and execution is what we call lead-time. We are learning that the ability to compress or shorten this lead-time today determines, in large measure, the very ability to survive. This applies to a company in the conduct of its business, or to a government in the conduct of its national defense.

To beat the clock, we knew we would have to proceed with all aspects of the program concurrently; that is, to move forward simultaneously with research, development, testing, production, the building of missile bases, crew training and everything else.

Our management concept of concurrency—together with management techniques for identifying any delays in the program before they happen—have enabled us to cut in half the time previously required for the development and production of weapon systems far less complicated than the ballistic missile.

In other words, if we had followed the more customary step-by-step sequence of weapon system development and production, it would have taken us some ten years or more, rather than five years, to have our Atlas ICBM where it is now; namely on the threshold of operational readiness.

Second, we would have to streamline our administrative and control procedures, cut red tape, and establish a new organization which could centralize and draw upon military, scientific, and technical resources for the analysis and solution of unprecedented problems.

Third, we had to project and build the missile as a whole, not around shelf hardware as it existed in 1954, but as it could be expected to be in

1958. We see, then, that we were everywhere confronted with the necessity to go far beyond the experience of the time.

To give you some idea of the complexity and scope of the task facing the Air Force in carrying out its ballistic missile program, let me draw an analogy between our management process of concurrency and the manufacture of an automobile.

Now all of us know how complex the job of an automobile manufacturer is in the design, the production and the distribution of a new model. This takes a tremendous amount of planning, not just for a year ahead, but for several years. Now just imagine for a moment how much more complex the automobile manufacturer's task would be if, at the same time he was designing and producing his automobile, he also had to lay out and build a network of roads, gas stations, garages, automotive supply houses, and train all mechanics and drivers. Yet this is just what he would have to do if they did not already exist and if he wanted to sell cars.

Now this is exactly what we had to do in the Ballistic Missile Program; for in 1954 nothing existed except the desire.

Now a word about space. The billions of dollars—about two billion per year now—which have gone into the Ballistic Missile Program since 1954 provide the spring-board to space. Without it we would be at least a decade behind the Soviets.

Earth satellites, space probes and interplanetary vehicles are no longer comic-strip fantasies, but actual hardware. The foundation has already been laid for future developments. The scientific and technical know-how, the facilities, the test stands—and—just as important—the management organizations are in being today to build upon that foundation.

As we move to meet new tests of our national strength and stamina, we should keep in mind the point of view recently voiced by Secretary of Defense McElroy when he said, and I quote: "... we know you can't spend deficit time and you can't borrow minutes. Our potential enemies have exactly the same amount of time we have. He who uses his moments most wisely will be the winner in the cold or hot war of the future."

We can use those "moments most wisely" only when we constantly reaffirm our faith in freedom. It is the

spirit of freedom which has enabled us as a people to have the courage and resourcefulness to constantly adapt ourselves to changing conditions economically, politically, militarily and psychologically at home and abroad. In terms of the impact of science and technology, the spirit of freedom demands that we constantly reassess the status and prospects not only of our commercial products and military weapons, but also of our policies, plans and procedures in business and government alike.

Now as a final word—our standard of living tends to make us complacent. I can assure you we face a tough adversary. He works and works hard. So did our forefathers. Don't sell him short. To win this struggle, cold or hot—and individual freedom is the stake—we must not only be prepared to work as hard as they do—we must actually work as hard and we must be prepared to sacrifice. Being both an optimist and a patriot—I am confident that the American people will rise to the challenge. If I have been waving the flag—it was purely intentional. Thank you.

At the conclusion of the Joint Session, the Presiding Officer announced the purpose of the Joint Session concluded and requested the Senate to retire to its Chamber.

#### In Legislative Session

The President called the Senate to order as in Legislative Session at 11:56 o'clock a.m. today.

#### House Concurrent Resolution 108 on Second Reading

On motion of Senator Martin and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 108, Enrolling Clerk to make certain corrections in H. J. R. No. 6.

The resolution was read and was unanimously adopted.

#### Reports of Standing Committees

Senator Willis by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Edu-



cation, to whom was referred H. B. No. 955, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

Senator Hazlewood by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Privileges and Elections, to whom was referred S. B. No. 474, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
May 4, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 48, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
May 4, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 134, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Senator Hardeman by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 873, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Weinert by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 942, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 724, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 640, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Bradshaw by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 754, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Insurance, to whom was referred H. B.

No. 811, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 316, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 810, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 624, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRADSHAW, Chairman.

Senator Weinert by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 783, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 965, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 976, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 685, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 830, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 959, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be printed.

WEINERT, Chairman.

Senator Krueger by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 12, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 940, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 258, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 834, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 476, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 686, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 227, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 641, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 833, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 937, have had the same under consideration and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 962, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 689, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 717, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 925, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 838, have had the same under consideration, and we are

instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 932, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 921, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, Your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 744, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Colson by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 335, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

COLSON, Chairman.

House Bills 921, 955 and 932  
Ordered Not Printed

On motion of Senator Phillips and

by unanimous consent H. B. Nos. 921, 955 and 932 were ordered not printed.

#### House Bill 744 Ordered Not Printed

On motion of Senator Owen and by unanimous consent H. B. No. 744 was ordered not printed.

#### Senate Resolution 505

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Immanuel Lutheran School of Giddings, Texas, accompanied by their Principal, John J. Socha; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and their principal to the Members of the Senate.

#### Senate Bill 485 on First Reading

Senator Hardeman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hazlewood
Baker	Herring
Bradshaw	Hudson
Colson	Kazen
Crump	Krueger
Dies	Lane
Fly	Martin
Fuller	Moffett
Gonzalez	Moore
Hardeman	Owen

Phillips	Secrest
Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	

Absent

Parkhouse	Wood
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Hardeman:

S. B. No. 485, A bill to be entitled "An Act amending Section 1 of Ch. 76, Acts, 1929, 41st Leg., 2nd Called Session, to provide that contracts for printing General and Special Laws may be awarded to the lowest responsible bidder regardless of residence in order to obtain more economical printing costs; and containing an emergency clause."

To the Committee on Counties, Cities and Towns.

#### House Bills 940 and 783 Ordered Not Printed

On motion of Senator Dies and by unanimous consent House Bills Nos. 940 and 783 were ordered not printed.

#### House Bill 937 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent H. B. No. 937 was ordered not printed.

#### House Bills 476 and 686 Ordered Not Printed

On motion of Senator Lane and by unanimous consent H. B. Nos. 476 and 686 were ordered not printed.

#### House Bill 942 Ordered Not Printed

On motion of Senator Roberts and by unanimous consent H. B. No. 942 was ordered not printed.

#### House Bill 685 Ordered Not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 685 was ordered not printed.

#### House Bill 976 Ordered Not Printed

On motion of Senator Fly and by unanimous consent H. B. No. 976 was ordered not printed.

#### House Bills 962 and 959 Ordered Not Printed

On motion of Senator Crump and

by unanimous consent H. B. Nos. 962 and 959 were ordered not printed.

#### House Bill 316 Ordered Not Printed

On motion of Senator Bradshaw and by unanimous consent H. B. No. 316 was ordered not printed.

#### Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 485, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

#### Senate Bill 485 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent S. B. No. 485 was ordered not printed.

#### Conference Committee on House Bill 201

The President announced the appointment of the following Conference Committee on the part of the Senate on H. B. No. 201: Senators Parkhouse, Hazlewood, Dies, Owen and Krueger.

#### Senate Resolution 506

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the St. Mary's Hall of San Antonio, accompanied by Mrs. Crawford and Mrs. A. R. Bynon; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the

official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students, Mrs. Crawford and Mrs. Bynon to the Members of the Senate.

#### Senate Resolution 507

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th and 8th Grade Classes of the Oglesby School from Oglesby, Coryell County, Texas, accompanied by their teacher, Mrs. Jacqueline McClinton; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Martin by unanimous consent presented the students and their teacher to the Members of the Senate.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 436, An Act creating two (2) additional Criminal District Courts of Harris County, prescribing the jurisdiction thereof; providing for the organization of the Courts; providing for the transfer and docketing of cases; providing for trial and disposition of cases in a Criminal Dis-

strict Court during the absence of the Judge thereof; prescribing the qualifications, jurisdiction, duties and powers of the Judges thereof; . . . etc.; and declaring an emergency.

H. B. No. 910, An Act amending Article 1.05, Section (b) of the Insurance Code, as amended, to provide that the members of the State Board of Insurance shall devote full time to their duties; and amending Section 6, Senate Bill No. 222, Fifty-fifth Legislature, Regular Session, providing for the removal of State Board of Insurance offices; and declaring an emergency.

H. J. R. No. 39, Proposing an amendment to Article IX of the Constitution of the State of Texas by adding thereto new Sections to be known as Sections 6, 7, and 8, to provide that the Legislature may authorize the creation of Hospital Districts co-extensive with Lamar County, Hidalgo County, and County Commissioners Precinct No. 4 of Comanche County, having certain stated powers and duties and subject to certain stated limitations; providing that any enabling acts shall not be invalid because of their anticipatory character; providing for an election; prescribing the form of ballot and providing for the necessary proclamation and publication.

H. C. R. No. 115, Suspending the Joint Rules.

S. B. No. 73, A bill to be entitled "An Act amending Section 4 of Chapter 95, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended (Section 4 of Article 4590c, Vernon's Texas Civil Statutes), relating to organization, officers and compensation of the State Board of Examiners in the Basic Sciences; and declaring an emergency."

S. B. No. 92, A bill to be entitled "An Act relating to expenses of members of the Commissioners' Court in connection with the use of privately owned automobiles for traveling on official business within the County; amending Chapter 456, Acts of the Fifty-second Legislature, 1951, as amended by Chapter 437, Acts of the Fifty-fourth Legislature, 1955, by amending Section 3b thereof, providing that the County Judge of such Counties affected by the Act shall be authorized to receive the same amount

of car allowance as paid to the Commissioners; and declaring an emergency."

S. B. No. 181, A bill to be entitled "An Act amending Section 1, Chapter 291, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by Chapter 356, Acts of the Fifty-fifth Legislature, Regular Session, 1957; providing for revision and compilation of Abstract Volumes by the Commissioner of the General Land Office; providing for the distribution of such volumes; providing for the sale of surplus volumes; providing for payment of moneys received from such sales into the General Revenue Fund; and declaring an emergency."

S. B. No. 75, A bill to be entitled "An Act to amend Article 6066 of the Revised Civil Statutes of Texas of 1925; and declaring an emergency."

S. B. No. 169, A bill to be entitled "An Act amending Section 407 of the Texas Probate Code so as to abolish the absolute necessity of publishing citation upon the filing of an account for final settlement; and declaring an emergency."

S. B. No. 192, A bill to be entitled "An Act amending Section 7, Chapter 229, Acts 1947, 50th Legislature, as amended by Chapter 457, Acts 1949, 51st Legislature, and further amended by Chapter 178, Acts 1953, 53rd Legislature, providing a saving clause; and declaring an emergency."

S. B. No. 195, A bill to be entitled "An Act prescribing the annual license fee for the registration of a motor vehicle owned and operated by a nonprofit, service organization and designed, constructed and used primarily for promotion, demonstration or parade purposes, where such vehicle is not licensed for registration under other laws of this State; providing a severability clause and declaring an emergency."

S. B. No. 232, A bill to be entitled "An Act amending Chapter 402, Acts of the Regular Session of the Fifty-fifth Legislature (as heretofore amended), pertaining to the Employees Retirement System of Texas; declaring the Act to be severable; and declaring an emergency."

S. B. No. 76, A bill to be entitled "An Act to amend Article 6065 of the

Revised Civil Statutes of Texas of 1925; and declaring an emergency."

S. B. No. 173, A bill to be entitled "An Act making an appropriation of Four Thousand Two Hundred and Seventy-five and 89/100 (\$4,275.89) Dollars for refund of Gas Gathering Taxes paid under Section XXIII of House Bill No. 285, Chapter 402, Acts of the Fifty-second Legislature, according to the tenor, effect and reading of a judgment obtained against the State of Texas by Southwest Natural Gas Company; directing the Comptroller of Public Accounts to cause the necessary warrants to be drawn on the State Treasury and issued to Southwest Natural Gas Company, its successors and assigns; providing for assignments; providing that in lieu of said refund said judgment may be used as an offset against future tax liabilities, with certain exceptions; containing a general severability clause; repealing all laws or parts of laws in conflict therewith; and declaring an emergency."

S. B. No. 234, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session of the 54th Legislature pertaining to Teacher Retirement System and Employees Retirement System."

S. B. No. 218, A bill to be entitled "An Act amending Acts of 1941, Forty-seventh Legislature, Chapter 105, Page 134, as amended (Vernon's Texas Civil Statutes, Article 6243f); amending Section 1 thereof, as amended, by providing for the creation of a Fireman and Policemen's Pension Fund and a permanent pension system in incorporated cities having a fully paid Fire and Police Department when such cities once have a population of more than 350,000 and less than 430,000 inhabitants, according to the last preceding Federal Census or any future Federal Census; and by changing the name of board of trustees and the requirements of eligibility for membership of service members of board of trustees; and providing for their election without appointment by governing body of city; and further providing for election by governing body of city of members of board of trustees other than service members thereof and further providing for complete and independent control of board of trustees over pension fund; by amending Sec. 2 thereof, by deleting from said Sec-

tion, and only from said Section, power and authority of board of trustees to reduce percentages relating to disabilities or awards of disability based upon the degrees of disability and surrounding circumstances; and repealing Sec. 3 thereof; by amending Sec. 4 thereof, by excluding Fire-Alarm Operators from making contributions to Pension Fund; by providing for a definite and compulsory deduction from wages of each fireman and policeman of the city for the Pension Fund of a sum equal to five (5) percent of base pay of a private, with the city paying into said fund a matching amount equal to the sum total of such contributions; and further providing that Board of Trustees may increase the amount of such contributions from firemen and policemen from five (5) percent to seven (7) one-half (½) percent of the base pay of a private, with an additional contribution of the city to be likewise increased; and deleting requirement that rewards received by members of police or fire department be deposited in pension fund; and further providing that matching contributions of city be in addition to revenue from parking meters set forth in Sec. 16 hereof and that such matching contributions be paid out of the General Fund and that city make provision therefor; by amending Sec. 5 thereof by changing the name of the book kept by City Treasurer showing the names of persons entitled to payment from Pension Fund and amount of each payment and for what granted; by amending Sec. 7 thereof, as amended, by excluding Fire-Alarm Operators and persons in Fire-Alarm Operators' Department of any city from membership and participation in Pension Fund; and by providing that members of Fund called to active military service shall not be required to make monthly payments into Pension Fund during the period of active military service, but providing for amount and time and manner of payment into Pension Fund by such members upon return to active status in Fire or Police Department in order to retain their seniority rights or retirement benefits and credit for length of time such members were engaged in active military service; and by providing that no member of the Fund shall be entitled to disability pension for a disability contracted by either injury or disease while engaged in active military service, and that this provision shall apply only to those



members who have not been granted a disability pension prior to effective date of this Act; by amending Sec. 8, as amended, by requiring that a member of the Fire and Police Department both serve and contribute to the Pension Fund for at least twenty (20) years before receiving any award from Fund for retirement; and providing that the amount of retirement pensions shall be based upon certain periods of years of service and years of pension fund contribution and upon the base pay of a private at the time application is made for retirement pension; and by deleting the requirement of the issuance of a Certificate of Retirement and providing that the Board of Trustees may authorize a retirement pension upon application of a member for retirement and for such retirement pension after sufficient years of service and years of Pension Fund contribution; and further providing that a member shall be given credit for time such member was actively engaged in military service, only in strict compliance of the provisions of Sec. 7 (c) of this Act; by repealing Sec. 9 thereof, by amending Sec. 10, as amended, by excluding members of Fire-Alarm Operators' Department from classes of employees entitled to disability pensions; by fixing the maximum and minimum disability pension of a duly appointed and enrolled member of the Fire Department or Police Department of the city who is contributing to the Pension Fund and is a member in good standing of said Fund; and by requiring that all sick and disability leave be first exhausted before a disability claim for incapacity from fire or police duties is received or considered and before an award is made; and granting full power to Board of Trustees to make inquiry relating to facts bearing on the degree of disability of member from other suitable employment before and after granting of disability pension; and providing that one-half ( $\frac{1}{2}$ ) of base pay of a private is the maximum amount of a disability pension for total and permanent disability and granting full power to Board of Trustees to grant a disability pension for less than maximum and not less than minimum according to degree of disability when Board finds from substantial evidence that member is only partially incapacitated from other suitable employment; and providing that foregoing provisions shall apply to all present and future members of the Fund and

to all present and future pensioners of the Fund; and further providing that no disability pension shall be awarded for disability resulting from injury or disease while member is engaged in active military service; and this provision shall apply to all members who have not been granted a disability pension prior to the effective date of this Act; by amending Sec. 11 thereof, as amended, by excluding death benefits to the widow and children of member of Fire-Alarm Operators' Department and limiting such death benefit or pension to the widow and children of a member of the Fire and Police Pension Fund of such city who was a contributor to said Fund and in good standing thereof; and providing if no children survive member, widow's death benefit or pension shall be in amount not to exceed one-half ( $\frac{1}{2}$ ) of the current base pay of a private per month; and further providing if there is no widow, children shall receive an award of one-fourth ( $\frac{1}{4}$ ) of the current base pay of a private per month; and further providing that the amount awarded to any child or children shall be paid to the legal guardian of said child or children, and limiting total death benefit to two-fifths ( $\frac{2}{5}$ ) of the current base pay of a private when member retired upon twenty (20) years of service and less than twenty-five (25) years of service, with a child or children alone in such case receiving only one-fifth ( $\frac{1}{5}$ ) of the current base pay of a private; and further providing for death benefits or pension awards to mentally or physically retarded children incapable of their own support regardless of their age with said death benefit or pension being reduced to the extent that any of said children shall receive any state pension or aid; and providing that death benefit or pension to widow shall cease upon her remarriage, and that such death benefit or pension to any child shall cease upon marriage of such child; and further providing that a widow from a marriage subsequent to the date of retirement of the member shall not be entitled to any death benefit or pension; and repealing Section 12 thereof; and amending Sec. 13 thereof, by excluding death benefits to dependent fathers and/or mothers of members of Fire-Alarm Operators' Department and also excluding the requirement that death of a member of Fire or Police Department result from injury received or disease contracted directly in line of

duty before payment of death benefit or pension to dependent father and/or mother; and adding requirement that at time of death of member that he be a member in good standing of the Pension Fund; and by adding requirement that father and/or mother be wholly dependent upon member for support; and by granting to Board of Trustees, on its own initiative, the right to make investigations into any pension application or any pensioner's status; and providing for a burial death benefit of \$500,000 when a member of Fire or Police Department in active service dies without leaving any defined beneficiaries entitled to receive death benefits; and amending Sec. 14 thereof by excluding from consideration of the Board of Trustees cases of members of Fire-Alarm Operators' Department; by providing for consideration of Board of all cases for membership in the Fund, and all applications of pensions by widows, children and dependent parents; and by providing for notice by Board of Trustees to persons asking for membership in said Fund to appear before said Board and offer such sworn evidence as he or they may desire; and providing a member of the Fire and Police Department who is a contributor to Pension Fund and a member in good standing thereof may appear in person or by attorney and contest the application for membership participation in said Fund or for a pension or benefit by any person claiming to be entitled to participate therein, and may offer testimony in support of such contest; and providing that process for witnesses shall be served by any member of Fire and Police Departments; by amending Sec. 15 thereof, by providing that Board of Trustees may cause any person receiving any disability pension herein, irrespective of years of service, to appear and undergo medical examination by any reputable physician or physicians selected by Board; and by providing that Board in making a finding may change any percentage stipulated in this Act, except no award shall exceed one-half ( $\frac{1}{2}$ ) of the base pay of a private on the current rate of pay at time of original application for pension or less than one-twentieth ( $\frac{1}{20}$ ) of such base pay, unless discontinued for good cause, with good cause being defined as ability to resume fire or police duties; and by providing that Board, on substantial evidence, may consider

disability of pensioner from any suitable employment in changing the percentages paid at any given time to a pensioner; and further providing that Board may reduce or discontinue a benefit received by a person under this Act when such person, after due notice, fails to appear and undergo any examination or examinations as ordered by the Board; by amending Sec. 17 thereof, as amended, by reducing percentages of funds in special retirement reserve that may be invested in savings and loan associations insured by Federal Saving and Loan Insurance Corporation; and providing that a sum not to exceed twenty (20) percent of the funds in special retirement reserve may be invested in shares of capital stock of national banks established for at least ten (10) years, with a capitalization of at least \$5,000,000.00 and/or in shares of capital stock of life insurance companies and/or fire and casualty insurance companies established for at least twenty-five (25) years, with a capitalization of at least \$5,000,000.00, and deleting the requirement that such bank stocks and insurance stocks be listed on an exchange registered with the Securities and Exchange Commission, or its successors by increasing percentages of funds in special retirement reserve which may be invested in certain investment companies and certain stocks and debentures or mortgages and providing that a sum not to exceed fifty (50) percent of the funds in special retirement reserve may be invested in shares of investment companies, common or preferred stocks, or in debentures or mortgages; by amending Sec. 19 thereof, by providing that this Act is of the essence of the contract of employment and appointment of firemen and policemen by cities of this class, with Fire-Alarm Operators being excluded from said provisions; and further providing that no member of Fire Department or Police Department or of Pension Fund shall be entitled to a refund of contributions made to Pension Fund and declaring said money to be public money and property of Fund for members qualifying for benefits, and their beneficiaries; by amending Sec. 23 thereof by changing the accounts to be kept separately by deleting accounts of Fire-Alarm Operators and adding the accounts of the Firemen and Policemen's Pension Fund; and providing a saving clause; and declaring an emergency."

(With amendment.)

S. B. No. 235, A bill to be entitled "An Act authorizing any and all agencies of the State of Texas to make transfers of personal property to one another with or without reimbursement; defining agencies; prescribing certain duties of the Comptroller of Public Accounts with regard to such transfers; providing other provisions relating thereto; providing that this Act shall be cumulative; and declaring an emergency."

S. B. No. 252, A bill to be entitled "An Act relating to examination fees for credit unions; amending Section 5 of Chapter 87, Acts of the 33rd Legislature, Regular Session 1913, as amended (codified as Article 2465 of Vernon's Texas Civil Statutes), so as to provide that each credit union examined by the Department of Banking shall pay an examination fee not to exceed Fifty-five (\$55.00) Dollars per day per person engaged in each examination or a total fee of Ten (\$10.00) Dollars per One Thousand (\$1,000.00) Dollars of assets or fraction thereof as reflected by the examination, whichever is lower, with a minimum of Ten (\$10.00) Dollars; and declaring an emergency."

S. B. No. 272, A bill to be entitled "An Act authorizing state travel regulations; describing officials and employees to whom the regulations apply; defining the method of travel reimbursement; establishing certain limitations for reimbursement; authorizing the Comptroller to promulgate rules and regulations to facilitate the execution of this act subject to approval by the Attorney General; authorizing transportation by courtesy cards; making the provisions of this act prevail in the event of conflict with the other laws; establishing an effective date of the act; and declaring an emergency."

S. B. No. 241, A bill to be entitled "An Act amending Article 14.17 of the Insurance Code of the State of Texas so as to further define associations not coming within the provisions of Articles 14.16 and 14.17; providing a severability clause; and declaring an emergency."

S. B. No. 257, A bill to be entitled "An Act amending Chapter 475, Page 1201, Acts of the Regular Session of the 54th Legislature, 1955 (codified as

Article 331g-1, Vernon's Texas Civil Statutes) by adding thereto a new section designated as Sec. 2a, concerning the authority to carry arms and to make arrests, vested in certain investigators appointed by county attorneys in counties having a population in excess of thirty-seven thousand (37,000) according to the preceding Federal Census; and declaring an emergency."

S. B. No. 286, A bill to be entitled "An Act relating to the unlawful use of certain nets and other devices for catching fish and shrimp in certain defined waters of Matagorda Bay and the Gulf of Mexico; providing penalties for violation; providing that the Act shall be cumulative; and declaring and emergency."

(With amendment.)

S. B. No. 242, A bill to be entitled "An Act repealing Section 3A, Chapter 44, Page 64, Acts 49th Legislature, Regular Session, 1945, concerning sale of sand and gravel by the City of Austin; and declaring an emergency."

S. B. No. 271, A bill to be entitled "An Act amending Article 2843, Revised Civil Statutes of Texas 1925, as last amended by Senate Bill 37, Chapter 470, Acts of the 51st Legislature, Regular Session, 1949; and declaring an emergency."

S. B. No. 289, A bill to be entitled "An Act authorizing any nonprofit corporation incorporated under the laws of this State for charitable purposes and affiliated or associated with a medical center having a recognized medical school and which has for its purpose the support of medical facilities dedicated to the use and benefit of the public, situated in certain counties, to exercise the power of eminent domain; providing for the conveyance or leasing of such property under certain conditions; granting the right of reverter to the original owner upon abandonment of purpose; providing for severability; and declaring an emergency."

S. B. No. 290, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session of the 50th Legislature (relating to the Texas Municipal Retirement System), as heretofore amended, amending Subsections 25 and 26 of Section II of said Act; amending Subsection 1 of

Section IV (a) of Subsection 2 of Section IV of said Act; amending paragraph (a) of Subsection 1 of Section V and Subsections 6 and 7 of Section V of said Act; amending all of Section VII of said Act; amending Subsection 6 of Section VIII of said Act; and further amending said Act by adding thereto a new section providing for establishment and operation of a "Supplemental Benefits Fund" as an additional and separate fund within the System to provide supplemental benefits for disabilities sustained as a direct result of performance of duty by designated employees of municipalities electing to participate in said Fund; providing for contributions to said Fund by municipalities electing to participate therein, and prescribing the terms, conditions and obligations of such participation; and declaring an emergency."

S. B. No. 316, A bill to be entitled "An Act authorizing counties, cities, water control and improvement districts, drainage districts and other political subdivisions to enter contracts with soil conservation districts for the joint acquisition of right-of-ways or joint construction, or maintenance of dams, flood detention structures, canals, drains, levees and other improvements for flood control and drainage as related to flood control, and for making necessary outlets, and maintaining them; providing that such contracts shall contain such terms; provisions and details as the governing bodies of the respective political subdivisions determine to be necessary under all the facts and circumstances; providing that counties, cities, water control and improvement districts, drainage districts and other political subdivisions may contribute funds to soil conservation districts for construction or maintenance of canals, dams, flood detention structures, drains, levees and other improvements for flood control and drainage as related to flood control, and for making the necessary outlets and maintaining them regardless of whether the title to such properties is vested in the Federal government, the State of Texas, or a soil conservation district, so long as the work to be accomplished is for the mutual benefit of the donor and the agency or political subdivision having title to such property on which the improvements are located; providing further that

the counties of this State may expend permanent improvement funds for carrying out the purposes of this Act and in addition thereto such counties may also expend Flood Control Funds levied pursuant to Section 1a, Article VIII, of the Texas Constitution and Article 7048a of Vernon's Civil Statutes for the purposes of this Act; providing that cities, water control and improvement districts, may expend the appropriate funds of the various cities, water control and improvement districts, drainage districts and other political subdivisions for carrying out the purposes of this Act; providing for a repealing clause; providing for a severability clause; and declaring an emergency."

(With amendment.)

S. B. No. 349, A bill to be entitled "An Act defining certain terms as used herein; providing that any county, municipality, taxing district or other political district or subdivision, commission, authority, department or other public agency of the State authorized to borrow money and issue bonds, notes or other evidences of indebtedness may institute suit for declaratory judgment in the district courts herein specified, to adjudicate and determine the legality of the boundaries or organization of the issuer; or of proceedings taken or proposed to be taken in connection with the issuance or sale of all such securities and evidences of indebtedness and adjudication as to validity of the same; defining the parties to said suits, and providing for service on such parties; authorizing the entry of decrees and judgments in such causes by the district courts; providing for and limiting appeal therefrom; providing for payment of costs in such proceedings; providing for staying the institution of subsequent inconsistent proceedings, and for consolidation of other actions or proceedings involving questions authorized to be determined in the action herein authorized to be maintained; and declaring an emergency."

(With amendment.)

S. B. No. 296, A bill to be entitled "An Act ratifying, confirming and validating Bexar County Water Control and Improvement District No. 16 and declaring it to be a validly existing and operating conservation and reclamation district under Section 59,

Article 16, Constitution of Texas; ratifying, confirming and validating the organization, petition, creating order, organizing minutes, surety bonds of directors, present Board of Directors, individually and collectively, confirmation proceedings and election, exclusion proceedings, bond election proceedings, bond election, plan of taxation proceedings, appointment and actions of tax assessor and collector and board of equalization, tax rolls, bond order, contracts, notices, area and boundaries and the proceedings and actions of the Board of Directors, and related matters; ratifying, confirming and validating all acts and proceedings of the Board of Directors except order repealed by said Board; ratifying, confirming and validating the bonds, sale of bonds and related matters, and providing that said bonds when approved by the Attorney General, registered by the Comptroller, and delivered to purchaser or purchasers, shall be incontestible; finding and determining that the lands and other property within said District are, and will be benefited; declaring district a governmental agency, body politic and corporate and municipal corporation; exempting the property and bonds of the district from taxation and related matters; making bonds eligible for investments; making certain findings; providing for a severability clause; and declaring an emergency."

(With amendment.)

S. B. No. 312, A bill to be entitled "An Act to amend Section 1 of Chapter 241, Acts of 1935, Forty-fourth Legislature, Page 575, as amended by Section 2 of Chapter 310, Acts of 1937, Forty-fifth Legislature, Page 621, (being commonly referred to as V.A.C.S., Article 6047c-1, Section 1), by amending Sub-section (a) thereof, and by amending the definition of 'cigarette' as used in the said statute, and defining the word 'cigar' as used in said Act, and distinguishing between 'cigarette' and 'cigar' as used in said statute; and declaring an emergency."

(With amendment.)

S. B. No. 344, A bill to be entitled "An Act amending Article 7122 of the Revised Civil Statutes of Texas of 1925, as last amended; broadening and specifically setting out exemptions from the inheritance tax on certain foreign bequests; providing for

application to persons dying before the effective date under given conditions; repealing all laws in conflict; and declaring an emergency."

S. B. No. 352, A bill to be entitled "An Act amending Sections 17, 18, and 19, of Chapter 290, Acts of the 41st Legislature, as amended by the 44th Legislature, 1935, so as to provide for the creation of Union Junior College Districts where there are two or more contiguous independent school districts, or two or more contiguous common school districts, or a combination of one or more independent school districts, with one or more common school districts of contiguous territory, having a combined taxable wealth of not less than \$9,500,000 and having a scholastic population of not less than 7,000 the next preceding school year, and not less than 400 students in the last four years in the classified high schools; and further providing for the filing of a petition for the ordering of an election to determine the establishment of such Union Junior College District."

(With amendment.)

S. B. No. 379, A bill to be entitled "An Act to amend Article 21.26, Chapter 21, of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491) providing for consolidation of any two or more insurance companies; by adding to said article a new section to be designated Sec. 6, providing that valid investments made by the absorbed corporation, consolidated or merged under the provisions of Article 21.26 of the Insurance Code shall be valid investments of the new or reorganized corporation; repealing all conflicting laws or parts of laws to the extent of such conflict; and declaring an emergency."

S. B. No. 412, A bill to be entitled "An Act creating 'Del Mar Conservation District' under and in accordance with the provisions of Article XVI, Section 59, of the Constitution, comprising certain territory lying wholly in Webb County, Texas, for the purpose of providing a source of water supply and the distribution thereof for municipal, domestic and industrial use, processing and transporting it, and in connection therewith to construct, establish and maintain storm and sanitary sewers, prescribing the rights, powers, duties and authority of the district, and providing for the

government thereof; providing for elections; defining the powers of the district, for taxes and collection of revenues, and authorizing the approval of bonds by the Attorney General; and declaring an emergency."

(With amendment.)

S. B. No. 439, A bill to be entitled "An Act creating a Juvenile Board for Gray County and designating the Chairman thereof; providing additional compensation for county and district judges serving thereon; stating the effect of this Act on existing laws; and declaring an emergency."

S. B. No. 456, A bill to be entitled "An Act to authorize the governing board of certain Junior College Districts to purchase additional lands; authorizing such governing board to fix reasonable tuition or registration fees under stated conditions; authorizing such governing board to issue its notes for the purchase of said lands, and making full provisions relative to the issuance, sale, maturity, terms, total amount of, refunding of, and other matters pertaining to said notes; empowering the governing board to pledge and contract relative to certain tuition and registration fees incident to securing and paying such notes; specifying sources of funds for payment of said notes, and that said notes shall never be an indebtedness of the State of Texas; providing a severability clause and making certain provisions as to the effect of this Act upon existing laws; and declaring an emergency."

S. B. No. 395, A bill to be entitled "An Act to amend Chapter 78, Acts of the Regular Session of the 53rd Legislature (Vernon's Article 8280-147), which created Northeast Texas Municipal Water District, conferring on the District certain additional powers; enacting other provisions related to the subject; and declaring an emergency."

S. B. No. 416, A bill to be entitled "An Act creating a conservation and reclamation under Article XVI, Section 59, of the Constitution, to be known as the 'Grayson County Water and Sewer Authority,' for the purpose of providing or acquiring a source or sources of water supply for domestic and industrial uses and processing, transporting and distributing the same and for the purpose of providing or acquiring a sanitary sewer sys-

tem; providing for a board of directors to govern said authority; providing for the annexation of additional territory thereto; authorizing the authority to do all things to make available for the above-named uses underground water or water from surface sources and water it may obtain by purchase, lease, and operation of contracts with persons, firms, corporations and public agencies or the United States Government or any of its agencies; empowering the authority to acquire land and construct, lease or otherwise acquire all facilities necessary or useful in diverting, impounding, storing, processing, or transporting and distributing water for the above-named purposes; authorizing the authority to lease or acquire rights in and to storage and storage capacity in any reservoir; authorizing the issuance of bonds and making provision for the payment and security thereof; making applicable to the authority Title 52, Revised Civil Statutes, as amended, relating to eminent domain, and declaring the authority to be a municipal corporation within the meaning of Article 3268 of Title 52; providing that the authority shall bear all expense of relocation, raising, or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; prescribing other powers and duties of the authority; enacting other provisions relating to the subject; providing that nothing in this Act shall be interpreted to repeal or amend Article 7471, Revised Civil Statutes of Texas; providing for severability; and declaring an emergency."

S. B. No. 443, A bill to be entitled "An Act to validate Porcion 49, Abstract No. 1529, Certificate 1767, Original Grantee City of Laredo, Webb County, Texas, containing 5314 acres of land, more or less, being one of the Laredo Porciones Title to which was divested out of the Crown of Spain by the Laredo General Visita and authorizing and requiring the Commissioner of The General Land Office to issue a patent to The City of Laredo, and its assigns, to said Porcion 49, and declaring an emergency."

S. B. No. 401, A bill to be entitled "An Act to amend Section 7, Chapter 310, page 522, Acts, 52nd Legislature, 1951, so as to include certain amendments and sections of the Gen-

eral Law contained in Articles 8306, 8307 and 8309, Revised Civil Statutes of Texas, 1925, as amended, and Chapter 248, page 415, Acts 1931, 42nd Legislature, as amended (codified as Article 8306a, Vernon's Civil Statutes of Texas); providing for severability; and declaring an emergency."

(With amendment.)

S. B. No. 424, A bill to be entitled "An Act to amend Subsection 2 of Section 1, Chapter 451, Acts of the Regular Session, 51st Legislature of Texas, 1949, as amended by Chapter 206 of the Acts of the Regular Session of the Fifty-second Legislature of Texas, 1951, so as to include the President of Texas Woman's University as a member of the Cotton Research Committee; and declaring an emergency."

S. B. No. 447, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI of the Constitution of Texas, to be known as the 'Upper Nueces Conservation and Reclamation District'; defining the powers of the District and providing for its management and operation; declaring the act to be severable; and declaring an emergency."

(With amendment.)

S. B. No. 441, A bill to be entitled "An Act to amend Subsection H of Section 5 of H. B. No. 20, Acts of the 46th Legislature, Regular Session, 1939, Chapter 3, Page 7, as amended to permit withdrawal of territory from one Soil Conservation District and the annexing of such territory so withdrawn to adjoining Soil Conservation District; providing for procedure for petitioning for such action; providing who shall be qualified to vote on such petition, providing the State Soil Conservation Board shall determine whether such withdrawal and annexation shall be accomplished; limiting the authority of said Board to act by specifying what acts of landowners in said District must first be accomplished; and declaring an emergency."

H. B. No. 107, A bill to be entitled "An Act relating to the compensation of grand jury bailiffs in counties below two hundred and fifty thousand (250,000) population; repealing all laws in conflict; and declaring an emergency."

H. B. No. 164, A bill to be entitled

"An Act amending Subsection (7) of Section 4 of Senate Bill No. 36, Acts, Forty-sixth Legislature, Regular Session, 1939, as amended and re-enacted by House Bill No. 611, Acts, Forty-seventh Legislature, Regular Session, 1941, as amended, and being codified in Vernon's Texas Civil Statutes as Subsection (7) of Section 4 of Article 695c; amending the residence requirements for employees of the State Department of Public Welfare; providing a repealing clause and a saving clause; and declaring an emergency."

H. B. No. 269, A bill to be entitled "An Act regulating the handling of funds received by institutions under the control and management of the Board for Texas State Hospitals and Special Schools; providing for repeal of all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 322, A bill to be entitled "An Act amending Article 7094 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapters 162 and 325, Acts of the 55th Legislature, Regular Session, 1957, relating to corporations exempt from payment of the franchise tax; and declaring an emergency."

S. B. No. 450, A bill to be entitled "An Act amending Chapter 55, page 156, Acts of the 40th Legislature of Texas, Regular Session, 1927, to enlarge the governing body of Brazos River Harbor Navigation District of Brazoria County; prescribing the manner of electing such commissioners and the terms of office thereof; validating the acts, orders and proceedings of the governing body of said District; enacting other provisions relating to the subject; and providing a severability clause."

H. B. No. 108, A bill to be entitled "An Act providing for the extension of the term of grand juries in certain counties; and declaring an emergency."

H. B. No. 182, A bill to be entitled "An Act to amend Section 236 of the Texas Probate Code so as to permit Probate and County courts to approve expenditures by guardians from the corpus of ward's estates for support, maintenance and education under certain circumstances; and declaring an emergency."

H. B. No. 289, A bill to be entitled

"An Act amending subdivision 3 of Article 3266, Revised Civil Statutes, as amended, relating to fees of commissioners appointed to assess damages in eminent domain proceedings, so as to provide that in all counties the county judge shall set the fee of the commissioners at any amount he may deem reasonable, not less than Ten Dollars (\$10) per day; and declaring an emergency."

S. B. No. 466, A bill to be entitled "An Act validating, ratifying and confirming certain conveyances by the City of Freeport to Brazoria County Drainage District No. 2 (also known as Velasco Drainage District of Brazoria County, Texas) and authorizing said Drainage District to maintain, repair, improve and extend the seawalls and other improvements so conveyed; prescribing a severability clause; and declaring an emergency."

H. B. No. 136, A bill to be entitled "An Act amending Article 6602, Section 1, Revised Civil Statutes of Texas, 1925, and adding a new section to be called Section 5, authorizing attorneys at law of the State of Texas to take acknowledgments or proof of an instrument of writing for record within the State of Texas, and providing for a seal, and declaring an emergency."

H. B. No. 241, A bill to be entitled "An Act amending Subsections (e) and (f) of Section 13, Article XVII of Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as last amended; removing the necessity to notarize claims for motor fuel tax refund; setting out the required contents of such claim; and declaring an emergency."

H. B. No. 300, A bill to be entitled "An Act appropriating to the use of Texas Southern University, funds obtained from the sale of certain right-of-way easements; and declaring an emergency."

H. B. No. 422, A bill to be entitled "An Act relating to persons not included within the meaning of the terms 'motor carrier' and 'contract carrier' as said terms are used in Chapter 314, Acts of the 41st Legislature, 1929, as amended; amending Section 1a (1) of Chapter 314, Acts of the 41st Legislature, 1929, as amended, which was added to said Act by Chapter 290, Acts of the 47th Legislature, 1941, by adding thereto

subsections (f) and (g); and declaring an emergency."

H. B. No. 505, A bill to be entitled "An Act amending Section 4 of Chapter 31, Acts of the 42nd Legislature, 1932, providing for the use of any unclaimed surplus of taxes which had been collected for the interest and sinking fund accounts of certain road bonds; and declaring an emergency."

H. B. No. 527, A bill to be entitled "An Act to amend the Insurance Code to include a new Chapter 7 so as to provide that all public officers of this state and all Executors, Administrators, Guardians, Receivers, and Trustees appointed by any court, whose bonds have been executed by a corporate surety, shall be subject to suit in the proper court of the county wherein said bond is filed; and declaring an emergency."

H. B. No. 612, A bill to be entitled "An Act authorizing a special program for pre-school children who have a hearing loss; providing for instructional units; providing for financing; requiring Central Education Agency to develop program and establish certification standards for teachers in such program; providing a severability or saving clause; and declaring an emergency."

H. B. No. 629, A bill to be entitled "An Act providing for the fixing of compensation of Criminal District Attorneys and certain Judges named in this Act, where all County and District officials are compensated on a salary basis, repealing all other laws applicable to the compensation of these officials; providing that the County Commissioners in said counties shall fix the salaries of Criminal District Attorneys at the sum of \$16,000.00 per annum, and Judges of the County Courts at Law and County Criminal Courts at \$14,500.00 per annum, and Judges of the Probate Court at fifteen thousand three hundred dollars (\$15,300.00) per annum; payable in equal monthly installments out of the general fund of the County and declaring an emergency."

H. B. No. 643, A bill to be entitled "An Act amending Section 389, Probate Code, Revised Civil Statutes of Texas, as amended by Acts 1955, Fifty-fourth Legislature, page 88, Chapter 55, enlarging the scope of present Section 389 so as to include, as authorized investments of guardians of estates of wards, investments



in savings accounts of national banks or state banks and investments in a common trust fund; and declaring an emergency."

H. B. No. 682, A bill to be entitled "An Act authorizing the State Librarian to dispose of any records of the State of Texas legally in his custody that are more than ten years old which he shall determine to be valueless to the State of Texas as official records; providing that no such records shall be disposed of except upon concurrence of certain State Officials that such records are unnecessary to the future efficient operation of the State government; providing that any such records which these officials feel should be preserved may be microfilmed, and such microfilmed copies shall then constitute original legal copies, and the originals disposed of if the Legislature appropriates money for such service; providing for transfer to the Archives Division of the Texas State Library of records having only a historical value; and declaring an emergency."

H. B. No. 735, A bill to be entitled "An Act authorizing expenditures from pre-existing appropriations for furnishing and equipping the Supreme Court Building and for moving specified courts and judicial units thereto during the summer recess of such courts, by amending Chapter 385, Acts, 1957, 55th Legislature, Regular Session; prescribing the manner and purposes of such expenditures; and declaring an emergency."

H. B. No. 748, A bill to be entitled "An Act to provide for suit for custody and support of child or children under 18 years of age against a parent when said parent was granted a divorce decree in a foreign jurisdiction and the granting court was silent as to custody and support of such children; providing for process, hearing and orders; providing further for punishment as for contempt for violation or failure to obey orders; providing for payment to the district clerk; making this act cumulative of other remedies; and declaring an emergency."

H. B. No. 773, A bill to be entitled "An Act providing for the treatment and rehabilitation of alcoholics in State Hospitals; providing for admission of voluntary patients and for commitment of patients; making provision for appeals, probation and dis-

charge; declaring rights of patients as citizens; establishing commitment proceedings for patients found to be mentally ill after commitment as alcoholics; providing severability; and declaring an emergency."

H. B. No. 842, A bill to be entitled "An Act allowing cities to regulate rendering plants within the city limits or within one mile thereof; and declaring an emergency."

H. B. No. 892, A bill to be entitled "An Act amending Acts 1915, page 36, which is codified as Article 3945, Vernon's Texas Statutes, revising the schedule of fees to be received by notaries public; and declaring an emergency."

H. B. No. 964, A bill to be entitled "An Act amending Section 1 of Chapter 183, Acts of the 51st Legislature, Regular Session, 1949, to remove doves from the open season provided for certain game in McMullen County; and declaring an emergency."

H. B. No. 986, A bill to be entitled "An Act declaring the legislative policy of the State as to Texoma Lake in Cooke and Grayson Counties in regard to game; regulating the use of boats and water skis on said Texoma Lake; regulating and prohibiting the use and discharge of firearms on said Texoma Lake; providing penalties for violations; designating peace officers of Cooke and Grayson Counties and game wardens to make inspections of boats and other water craft on Texoma Lake and to enforce provisions of the Act; providing severability; and declaring an emergency."

H. B. No. 863, A bill to be entitled "An Act providing for the issuance of permits, upon the payment of a prescribed fee, to certain commercial motor vehicles owners to haul loads of larger tonnage; and declaring an emergency."

H. B. No. 911, A bill to be entitled "An Act relating to the use of voting machines in certain counties; amending Section 3 of Article 79 of the Texas Election Code, compiled as Section 3, Article 7.14, Vernon's Texas Election Code; repealing laws in conflict; and declaring an emergency."

H. B. No. 979, A bill to be entitled "An Act relating to the obstruction by threats or violence of the exer-

cise of the right to travel over, maintain or repair, common roads over which others have an easement; providing a penalty for violations; and declaring an emergency."

H. B. No. 158, A bill to be entitled "An Act amending Sections 181, 186 as amended, 190, 192, 195, 202, 205, 212, as amended, 213, 214, 216, 222, 223, 224, and 235 of the Election Code of the State of Texas and compiled in Vernon's Revised Civil Statutes of Texas as Election Code Articles 13.03, 13.08, 13.12, 13.14, 13.17, 13.24, 13.27, 13.34, 13.35, 13.36, 13.38, 13.45, 13.46, 13.47 and 13.58, respectively, and Section 2 of Chapter 44, Acts of the 52nd Legislature, 1951, compiled as Article 3158(a) of Vernon's Revised Civil Statutes, so as to provide for the holding of the first and second primary elections on the first Tuesday in May, and the fourth Tuesday in May, 1960, respectively, and every two years thereafter; and changing the other dates relating to the various precinct, county, district, state and national political party meetings, conventions and election procedures; providing a severability clause; repealing all laws or parts of laws in conflict with this Act to the extent of such conflict only; and declaring an emergency."

H. B. No. 865, A bill to be entitled "An Act to amend subdivisions G and M of Section 35 of Chapter 269 of the Acts of the Fifty-fifth Legislature relating to fees to be charged and collected by the Securities Commissioner; providing severability; and declaring an emergency."

H. B. No. 930, A bill to be entitled "An Act conferring upon Regional College Districts the power of eminent domain for the purpose of acquiring property for their needs; prescribing the manner of exercising such power, and declaring an emergency."

H. B. No. 980, A bill to be entitled "An Act continuing the availability of the unexpended balance of the funds provided for the use of the Runnels County Water Improvement District by Chapter 444, Acts of the 55th Legislature, Regular Session 1957, for the purposes designated therein; and declaring an emergency."

H. B. No. 968, A bill to be entitled "An Act relating to the employment

and compensation of the secretary or stenographer of the County Judge in Counties having a population of not less than One Hundred Thousand (100,000) nor more than One Hundred Ten Thousand (110,000) according to the last preceding Federal census; providing that this Act shall be cumulative; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Motion to Place Senate Bill 216 on Second Reading

Senator Hazlewood asked unanimous consent to suspend the regular order of business and take up S. B. No. 216 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and take up S. B. No. 216 for consideration at this time.

The motion was lost by the following vote:

#### Yeas—14

Aikin	Krueger
Colson	Owen
Fly	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Hudson	Smith
Kazen	Willis

#### Nays—15

Baker	Moffett
Bradshaw	Moore
Crump	Parkhouse
Dies	Phillips
Hardeman	Roberts
Herring	Secrest
Lane	Weinert
Martin	

#### Absent

Fuller	Wood
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Address of Lieutenant General  
Schriever Ordered Printed in Journal

On motion of Senator Moore and by unanimous consent the address of Lieutenant General Schriever at the Joint Session today was ordered printed in the Journal.

**Reports of Standing Committees**

Senator Moffett by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Agriculture and Livestock, to whom was referred H. B. No. 214, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,  
May 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Counties, Cities and Towns, to whom was referred H. B. No. 398, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Counties, Cities and Towns, to whom was referred H. B. No. 888, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 4, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Counties, Cities and Towns, to whom was referred H. B. No. 952, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

**Recess**

On motion of Senator Weinert the

Senate at 12:20 o'clock p.m. took recess until 2:30 o'clock p.m. today.

**After Recess**

The President called the Senate to order at 2:30 o'clock p.m.

**Leave of Absence**

Senator Wood was granted leave of absence for today on account of important business on motion of Senator Moore.

**House Bills and Resolution on First Reading**

The following bills and resolution received from the House were read and referred to the committees indicated:

H. B. No. 107, To the Committee on Jurisprudence.

H. B. No. 108, To the Committee on Jurisprudence.

H. B. No. 136, To the Committee on Jurisprudence.

H. B. No. 164, To the Committee on State Affairs.

H. B. No. 182, To the Committee on Jurisprudence.

H. B. No. 241, To the Committee on Transportation.

H. B. No. 269, To the Committee on Counties, Cities and Towns.

H. B. No. 289, To the Committee on Jurisprudence.

H. B. No. 300, To the Committee on Finance.

H. B. No. 322, To the Committee on State Affairs.

H. B. No. 422, To the Committee on Transportation.

H. B. No. 158, To the Committee on Privileges and Elections.

H. B. No. 505, To the Committee on State Affairs.

H. B. No. 527, To the Committee on Jurisprudence.

H. B. No. 612, To the Committee on Education.

H. B. No. 629, To the Committee on Counties, Cities and Towns.

H. B. No. 643, To the Committee on State Affairs.

H. B. No. 682, To the Committee on Counties, Cities and Towns.

H. B. No. 735, To the Committee on Finance.

H. B. No. 773, To the Committee on State Affairs.

H. B. No. 842, To the Committee on Public Health.

H. B. No. 863, To the Committee on Transportation.

H. B. No. 865, To the Committee on State Affairs.

H. B. No. 892, To the Committee on Jurisprudence.

H. B. No. 911, To the Committee on Privileges and Elections.

H. B. No. 930, To the Committee on State Affairs.

H. B. No. 964, To the Committee on Game and Fish.

H. B. No. 968, To the Committee on Counties, Cities and Towns.

H. B. No. 979, To the Committee on Jurisprudence.

H. B. No. 980, To the Committee on Water and Conservation.

H. B. No. 986, To the Committee on Counties, Cities and Towns.

H. B. No. 748, To the Committee on Jurisprudence.

H. J. R. No. 39, To the Committee on Constitutional Amendments.

H. B. No. 436, To the Committee on Legislative, Congressional and Judicial Districts.

#### Message from the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,  
May 4, 1959.

To the Senate of the Fifty-sixth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Board of Directors of the Upper Colorado River

Authority, for six-year terms to expire January 1, 1965: K. V. Northington of Ballinger, Runnels County; J. R. Salmon of San Angelo, Tom Green County; Cumbie Ivey of Robert Lee, Coke County.

To be members of the Board of Directors of the Lower Concho River Water and Soil Conservation Authority, for six-year terms to expire January 1, 1965: Marion Sansom of Paint Rock, Concho County; M. L. Schulz of Eola, Concho County; Curtis Stevens of Millersview, Concho County.

Respectfully submitted,  
PRICE DANIEL,  
Governor of Texas.

#### Bills and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

S. B. No. 6, A bill to be entitled "An Act creating Midwestern University at Wichita Falls, Texas, and providing for instruction at said University suitable to a University of higher learning teaching the liberal arts and sciences of the first class; providing for the organization, control and management thereof, the appointment of a Board of Regents and selection of a president; etc.; and declaring an emergency."

S. B. No. 17, A bill to be entitled "An Act creating a Texas Coordinating Commission for State Health and Welfare Services; defining its membership, powers, and duties; and declaring an emergency."

S. B. No. 87, A bill to be entitled "An Act amending Section 6 of Chapter 38, page 55, Acts of the 49th Legislature, 1945, as amended by Chapter 65, Section 1, page 309, Acts of the 54th Legislature, 1955 (Vernon's Ann. Penal Code, Article 1583-1, Sec. 6), providing maximum working hours for firemen in cities of more than ten thousand (10,000) inhabitants, and defining the work week of firemen in such cities whose duties do not include fighting fires; and providing for overtime compensation for firemen required, in an emergency, to work more than the maximum hours hereby prescribed; etc.; and declaring an emergency."

S. B. No. 90, A bill to be entitled

"An Act amending Chapter 19 of the Texas Insurance Code; limiting the application of Chapter 388 of the Acts of the 55th Legislature, 1957; providing that persons, firms and corporations may act as attorneys-in-fact for reciprocal or inter-insurance exchanges; providing for the organization, powers, duties, regulation and qualifications of domestic and foreign corporations acting as such attorneys-in-fact; repealing all laws or parts of laws in conflict with this Act; providing for a severability clause; and declaring an emergency."

S. B. No. 133, A bill to be entitled "An Act validating, ratifying and confirming certain contracts heretofore entered into between cities and contiguous Water Control and Improvement Districts affecting the water and sewer facilities of said cities and districts and the operation thereof; and declaring an emergency."

S. B. No. 155, A bill to be entitled "An Act amending the Insurance Code, Acts 1951, 52nd Legislature, page 868, Chapter 491, as amended, by amending Article 1.10, Section 4, pertaining to reinsurance reserve; by amending Article 6.01 to prescribe the method of maintaining reserves on fire insurance; by amending Article 6.02 to prescribe the method for calculating and maintaining the reserves on ocean and inland marine trip insurance; etc.; and declaring an emergency."

S. B. No. 156, A bill to be entitled "An Act amending Article 2.14 of the Insurance Code, Acts 1951, 52nd Legislature, page 868, Chapter 491, as amended, by providing that officers, other than president, need not be directors or stockholders unless required by bylaws; and declaring an emergency."

S. B. No. 158, A bill to be entitled "An Act amending Article 20.10, Article 20.12, Article 20.16, and Article 20.19 of the Insurance Code, Acts 1951, 52nd Leg., ch. 491; relating to salaries and investment of funds; relating to the authority to contract; relating to membership certificates and other type of contracts; providing for a saving clause; providing for severability; and declaring an emergency."

S. B. No. 163, A bill to be entitled "An Act to amend Section 18 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as

amended, which is codified as Rule 51a of Article 4477, Vernon's Texas Civil Statutes, providing for the filing of applications for delayed registrations of births with the State Registrar of Vital Statistics and, under certain conditions, with the probate courts; providing for revised standards and procedures for the delayed registration of births and the adoption of regulations relating thereto by the State Department of Health; providing fees therefor; providing the time this Act shall take effect; and declaring an emergency."

S. B. No. 164, A bill to be entitled "An Act to amend Section 14 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 47a of Article 4477, Vernon's Texas Civil Statutes, by adding thereto a new Section to be known as Section 14a, and to be codified as Rule 47b of Article 4477, Vernon's Texas Civil Statutes, providing for the transfer of the item as to the legitimacy status of a person from the legal certificate of birth to that section of the certificate entitled 'For Medical and Health Use Only,' providing that the section 'For Medical and Health Use Only' shall not be considered a part of the legal certificate of birth, and providing the time this Act shall take effect; and declaring an emergency."

S. B. No. 175, A bill to be entitled "An Act to amend Acts, 1931, Forty-second Legislature, Chapter 165, as amended, Acts 1937, Forty-fifth Legislature, Chapter 204, as amended, Acts 1943, Forty-eighth Legislature, Chapter 96, as amended, Acts 1951, Fifty-second Legislature, Page 406, Chapter 256 (also known as Article 1524a, Revised Statutes of Texas), by adding thereto a new section to be numbered 14; etc.; and declaring an emergency."

S. B. No. 180, A bill to be entitled "An Act amending Article 8.14 of the Insurance Code, Acts 1951, 52nd Legislature, page 868, Chapter 491, as amended, by regulating payment of dividends; and declaring an emergency."

S. B. No. 189, A bill to be entitled "An Act to amend Section 390 of the Texas Probate Code (Acts 1955, 54th Legislature, Chapter 55) relating to investments by guardians in insurance and annuity contracts, and declaring an emergency."

S. B. No. 197, A bill to be entitled "An Act amending subsection (d) of Section 45, Article I, Chapter 467, Acts of the Second Called Session of the 44th Legislature, added by Section 43, Chapter 448, Acts of the Regular Session of the 45th Legislature, as amended by Section 16, Chapter 325, Acts of the Regular Session of the 48th Legislature, providing for refunds under certain conditions of liquor tax previously paid; etc.; and declaring an emergency."

S. B. No. 213, A bill to be entitled "An Act to amend Sections 4 and 10-D of Chapter 425, Acts of the Regular Session of the 55th Legislature, which carried into effect the provisions of Article III, Section 49-c of the Constitution creating the Texas Water Development Board; and declaring an emergency."

S. B. No. 226, A bill to be entitled "An Act amending Senate Bill No. 456, Chapter 315, Acts of the 55th Legislature, Regular Session, 1957 (Article 2876k, V.T.C.S.), so as to authorize the State Board of Education to acquire, purchase and contract for books published in Large Type as well as Braille recommended as suitable for use as textbooks for the education of the blind scholastics in the public school systems of Texas; and declaring an emergency."

S. B. No. 243, A bill to be entitled "An Act prescribing duties of the Comptroller of Public Accounts in reference to the cancellation of Bonds of Public Corporations (as defined herein) which are no longer useful and which are in the safekeeping of such officer, enacting other provisions related to the subject; and declaring an emergency."

S. B. No. 278, A bill to be entitled "An Act amending Chapter 173, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended (Article 6687b, Revised Civil Statutes of Texas, 1925, as amended) by re-enacting and redesignating Subsections (a) and (b) of the present Section 21; adding to Section 21 to provide authority and procedure for the Department of Public Safety to furnish information from the licensing records and the fees to be charged therefor; providing no fee to be charged governmental agencies; providing for disposition of fees; providing a savings clause; repeating all laws or parts of laws in conflict therewith; and declaring an emergency."

S. B. No. 298, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16, Constitution of Texas, to be known as 'Bexar County (Lackland) Water Control and Improvement District'; defining the boundaries of the District; finding field notes; etc.; and declaring an emergency."

S. B. No. 326, A bill to be entitled "An Act to authorize and empower the Commissioner of the General Land Office, acting for and on behalf of the State of Texas, to execute grants of easements in, on and across all unsold Public Free School Land, etc.; and declaring an emergency."

S. B. No. 384, A bill to be entitled "An Act to amend Article 9.11 of the Insurance Code of the State of Texas, Acts of the 52nd Legislature (1951) as amended by the 54th Legislature (1955) requiring title insurance corporations to create and maintain unearned premium reserves by amending said section to provide that corporations writing title insurance in Texas shall, out of the gross premium on each and every policy issued on and after January 1, 1959, as to companies which have accumulated the maximum \$100,000,000 reserve provided for by said Article, deduct an amount equal to three percent (3%) of such premium as an unearned premium reserve; etc., and declaring an emergency."

S. B. No. 404, A bill to be entitled "An Act amending Chapter 308, Acts of the Fifty-fourth Legislature, creating Haltom City Water Authority, by making certain revisions in the powers of said Authority; and declaring an emergency."

S. B. No. 406, A bill to be entitled "An Act providing for the compensation of the Official Shorthand Reporter of the 79th Judicial District of Texas; providing the manner of payment; and declaring an emergency."

S. B. No. 415, A bill to be entitled "An Act amending Section 10 of the 'Lower Colorado River Authority Act,' Chapter 7, Acts of the Fourth Called Session of the Forty-third Legislature (1934), page 19, as amended by Chapter 2, Special Laws of the Regular Session of the Forty-sixth Legislature (1939), page 1048, by Chapter 61, Acts of the Regular Session of the

Fifty-first Legislature (1949), page 101, and by Chapter 165, Acts of the Regular Session of the Fifty-fourth Legislature (1955), page 532, so as to authorize the Lower Colorado River Authority to issue bonds in the total amount of One Hundred Twenty Million Dollars (\$120,000,000); re-enacting the remainder of said Section 10 without change; containing a severability clause; and declaring an emergency."

S. B. No. 431, A bill to be entitled "An Act authorizing boards of trustees of independent school districts located in counties having a population of Eight Hundred Thousand (800,000), or more according to the last preceding Federal census and having a scholastic enumeration of One Hundred Thousand (100,000) or more according to the last preceding scholastic enumeration to make expenditures from local school funds of the district for the purpose of televising and/or broadcasting their meetings; providing that this Act shall be cumulative; and declaring an emergency."

S. B. No. 432, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59 of Article 16, Constitution of Texas, to be known as Hays County Wimberley Water Supply District; providing for the rights, powers, privileges, and duties thereof; providing for a Board of Supervisors and a Tax Assessor and Collector thereof; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

S. B. No. 435, A bill to be entitled "An Act relating to the functioning of the Probate Court of Tarrant County and the County Court of Tarrant County in probate matters; amending Sections 3 and 11 of Chapter 400, Acts of the 55th Legislature, Regular Session, 1957 (codified as Sections 3 and 11 of Article 1970-345 in Vernon's Texas Civil Statutes), relating to the filing of proceedings in the said Courts, the transfer of proceedings from one Court to the other, and the hearing and determination of proceedings pending in either of said Courts by the Judge of the other of said Courts; etc., and declaring an emergency."

S. B. No. 442, A bill to be entitled "An Act creating a conservation and

reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Riesel Municipal Utility District'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; etc., and declaring an emergency."

S. B. No. 465, A bill to be entitled "An Act authorizing independent school districts in counties having a population of Eight Hundred Thousand (800,000) or more according to the last preceding Federal Census to issue time warrants; and declaring an emergency."

S. C. R. No. 67, Suspending Joint Rules to permit the House and Senate to consider H. B. No. 436 at any time.

S. B. No. 315, A bill to be entitled "An Act creating the Department of Correction Special Fund; amending S. B. No. 36, Acts of the 46th Legislature, R. S., 1939, as amended by Subsection (1) of Section 27 of H. B. No. 611, Acts of the 47th Legislature, R. S., 1941, Chapter 562, as amended by Section 2 of H. B. No. 78, Acts of the 55th Legislature, R. S., 1957, Chapter 284, so as to authorize expenditures from such fund for such additional purposes as the Legislature may direct; etc.; and declaring an emergency."

S. B. No. 317, A bill to be entitled "An Act concerning State prison lands in Brazoria County; and declaring an emergency."

#### Senate Bill 486 on First Reading

By unanimous consent the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Hazlewood:

S. B. No. 486, A bill to be entitled "An Act relating to the representation of the State by the District Attorney for Roberts County in all criminal cases before the County Court of Roberts County; providing for supplemental compensation by the Commissioners Court; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

**Senate Bill 487 on First Reading**

Senator Parkhouse moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

**Absent—Excused**

Wood

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Parkhouse:

S. B. No. 487, A bill to be entitled "An Act relating to terms of office of school trustees in certain school districts; choosing terms by lots; providing for subsequent elections and filling of vacancies; providing that provisions of Act shall be cumulative; and declaring an emergency."

To the Committee on Education.

**Senate Resolution 508**

Senator Willis offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Professor C. D. Richards and 22 pre-law students of Texas' newest senior college, Arlington State College, which was elevated to senior status today; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas

and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Willis by unanimous consent presented the students and Professor Richards to the Members of the Senate.

**Senate Bill 121 with House Amendments**

Senator Krueger called S. B. No. 121 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Krueger moved that the Senate concur in the House amendments.

The motion prevailed.

**House Concurrent Resolution 114 on Second Reading**

On motion of Senator Bradshaw and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 114, Suspending Joint Rules to consider H. B. No. 763 at any time.

The resolution was read and was adopted.

**Record of Vote**

Senator Colson asked to be recorded as voting "Nay" on the adoption of the above resolution.

**Committee Substitute Senate Bill 100 on Second Reading**

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 100, An Act directing payment of certain miscellaneous claims and judgments out of the sum appropriated for that purpose in the General Appropriation Bill; making an appropriation for and directing payment of certain miscellaneous claims and judgments out of other



funds designated herein; requiring approval of claims in the manner specified in the Act before payment is made; and declaring an emergency.

The bill was read the second time.

Senator Kazen offered the following amendment to the bill:

Amend Committee Substitute to Senate Bill 100 by adding at the end of Section 1 on page 4 another item to read as follows:

"To pay MacGregor Development Corporation, 600 McGowen, Houston, Texas for overpayment of Franchise Tax" ..... \$869.08

The amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend S. B. 100 by striking out all of lines 59 through 65 of page 1.

The amendment was read.

Senator Herring moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—16

Baker	Moffett
Colson	Moore
Dies	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hazlewood	Rogers
Herring	Secrest
Kazen	Willis

#### Nays—12

Aikin	Krueger
Bradshaw	Lane
Crump	Martin
Fly	Reagan
Hardeman	Roberts
Hudson	Smith

#### Absent

Ratliff	Weinert
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#### Absent—Excused

Wood

Senator Fly offered the following amendment to the bill:

Amend S. B. 100 by striking out all of Section 6 and Section 5.

The amendment was read.

Senator Herring moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—18

Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Dies	Phillips
Gonzalez	Ratliff
Hazlewood	Reagan
Herring	Rogers
Kazen	Secrest
Moffett	Willis

#### Nays—10

Aikin	Lane
Crump	Martin
Fly	Roberts
Hudson	Smith
Krueger	Weinert

#### Absent

Fuller	Hardeman
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#### Absent—Excused

Wood

Senator Crump offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill No. 100 by adding at the end of Section 1 on Page 4 another item to read:

To pay to Texas Standard Life Insurance Company, Brownwood, Texas, for refund of Annual Assessments ..... \$1,500.00

The amendment was read.

On motion of Senator Herring the amendment was tabled.

Senator Hazlewood offered the following amendment to the bill:

Amend Senate Bill No. 100 by adding a paragraph, properly numbered, which reads as follows:

"To pay W. N. Stokes for traveling expenses involved in making trips from Amarillo to Austin and return in connection with his membership on

the Legislative Committee to Study Problems of the Aged, said committee being set up under S. C. R. No. 60, 55th Legislature, Regular Session, 1957, to-wit:

- "For trip and traveling expenses, for hotel room and lodging as set out in affidavit hereto attached dated November 17, 1958, in the amount of \$96.80
- "For trip and traveling expenses, for hotel room and lodging as set out in affidavit hereto attached dated April 28, 1958, in the amount of 86.34
- "For trip and traveling expenses, for hotel room and lodging as set out in affidavit hereto attached dated January 20, 1958, in the amount of 86.78"

The amendment was read and was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Committee Substitute Senate Bill 100 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 100 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Lane
Baker	Martin
Colson	Moffett
Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert

#### Nays—1

Bradshaw

#### Absent

Willis

#### Absent—Excused

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Vote

Senator Krueger asked to be recorded as voting "Nay" on the final passage of C. S. S. B. No. 100.

#### Report of Standing Committee

Senator Krueger by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 964, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

#### Motion to Suspend Senate Rule 106 on House Bill 158

Senator Hardeman submitted the following motion in writing:

"I move to suspend Senate Rule 106 in so far as it relates to H. B. 158 now in the Committee on Privileges and Elections so that the Committee may take up and consider it at any time."

HARDEMAN

The motion was read.

The motion in writing was adopted by the following vote:

#### Yeas—24

Aikin	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Secrest
Kazen	Smith
Krueger	Weinert

## Nays—6

Baker	Moore
Dies	Rogers
Gonzalez	Willis

## Absent—Excused

Wood

## Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

H. B. No. 553, A bill to be entitled "An Act establishing a Juvenile Board in Crane County; prescribing the membership and powers of the board and providing for compensation of its members; authorizing the board to appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

H. B. No. 716, A bill to be entitled "An Act amending subdivisions 10, 56 (relating to Galveston County) of Article 199 of the Revised Civil Statutes of Texas, 1925, concerning the District Courts of Galveston County, and the Judges and the Clerk thereof, for the purpose of clearing up uncertainties in the existing law; and declaring an emergency."

H. B. No. 918, A bill to be entitled "An Act repealing Section 8 of Chapter 353, Acts of the 47th Legislature, Regular Session, as amended, to permit the sale of minnows in Hamilton County; and declaring an emergency."

H. B. No. 868, A bill to be entitled "An Act creating 'Aquilla-Hackberry Creek Conservation District' under the provisions of Section 59, Article XVI of the Texas Constitution; prescribing the area and powers of the District; etc., and declaring an emergency."

H. B. No. 694, A bill to be entitled "An Act regulating the transportation of minnows out of Runnels County, Texas; providing a penalty; and declaring an emergency."

H. B. No. 693, A bill to be entitled "An Act amending Section 2 of Chapter 90, Acts of the 54th Legislature, Regular Session, 1955, relating to the

catching and taking of fish in New Lake Winters, Runnels County, Texas; and declaring an emergency."

H. B. No. 409, A bill to be entitled "An Act relating to the leasing for oil, gas, and other mineral purposes of one thousand two hundred eighty (1280) acres of land owned by the Alabama and Coushatta Tribes of Texas; repealing laws and parts of laws in conflict; and declaring an emergency."

H. B. No. 504, A bill to be entitled "An Act amending Article 1266 of the Revised Civil Statutes of Texas, 1925, relating to the discontinuing of territory as a part of certain cities; and declaring an emergency."

H. B. No. 464, A bill to be entitled "An Act providing a method of financing the operation of the Texas Commission on Alcoholism; amending Section 18 of Chapter 411 Acts of the Fifty-third Legislature, Regular Session, 1953, as amended; and declaring an emergency."

H. B. No. 718, A bill to be entitled "An Act creating a Court of Domestic Relations for Gregg County, Texas; fixing its jurisdiction; conforming the jurisdiction of other Courts thereto; fixing its terms; providing the manner of selection, tenure and compensation of the Judge of said Court; etc.; and declaring an emergency."

H. B. No. 473, A bill to be entitled "An Act authorizing the Commissioners' Court of certain counties to construct or otherwise acquire buildings to be used as county public health units or public health centers, including the acquisition of the sites therefor, and providing for the payment therefor; authorizing the issuance of bonds, time warrants, and certificates of indebtedness to pay for said units and centers and the sites therefor, and providing terms and conditions relating thereto; authorizing the refunding of said obligations into refunding bonds, and providing terms and conditions relating thereto; providing that this Act shall be cumulative of other laws relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 951, A bill to be entitled "An Act validating the order passed

by Tom Green County Commissioners' Court re-affirming the creation of Tom Green County Water Control and Improvement District No. 1; etc.; and declaring an emergency."

H. B. No. 472, A bill to be entitled "An Act to amend Article 1.10, Texas Insurance Code, by adding a new section thereto to authorize the State Board of Insurance and State Treasurer to accept and hold voluntary deposits made by Texas insurance companies as a prerequisite for such companies to gain admission to do an insurance business in other states, countries or provinces; setting out the conditions under which such deposits may be substituted and withdrawn; and authorizing transfer of previous deposits so made to the account authorized hereunder; making the act cumulative; and declaring an emergency."

H. B. No. 574, A bill to be entitled "An Act to authorize the Lamar County Water Control and Improvement District, Number Three (3), to levy, assess and collect a special assessment based upon actual benefits received by lands within the District arising from flood waters retarding structures and dams in the District constructed by the District; etc.; and declaring an emergency."

H. B. No. 934, An Act making it unlawful to hunt, take, or kill, or attempt to hunt, take, or kill deer in Hardeman and Foard Counties for a period of two (2) years; providing penalties; and declaring an emergency.

H. B. No. 753, A bill to be entitled "An Act authorizing the Commissioners Court of Zapata County to supplement the salary of the District Judge of the 49th Judicial District of Texas; making other provisions relating thereto; and declaring an emergency."

H. B. No. 861, A bill to be entitled "An Act amending Section 2 of Chapter 386, Acts of the 51st Legislature, Regular Session, 1949, to prohibit hunting and taking of deer with rifles in Precinct 4 of Lamar County; and declaring an emergency."

H. B. No. 218, A bill to be entitled "An Act amending Acts 1955, 54th Legislature, Regular Session, Page 910, Chapter 359, relating to the Newton County Water Supply District; and declaring an emergency."

H. B. No. 648, A bill to be entitled "An Act providing for a closed season in Jefferson County upon alligators; providing a penalty; and declaring an emergency."

H. B. No. 443, A bill to be entitled "An Act regulating the taking or killing of squirrel in Lamar County, amending Section 2, Chapter 187, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 994, An Act amending Subsection (2), Section 1, Article 3.50 of the Insurance Code by defining the word "Member" as used in said Subsection (2).

H. B. No. 560, A bill to be entitled "An Act amending Article 2906 of the Revised Civil Statutes of Texas, 1925, as amended, providing for the closing of certain schools on Veterans Day; and declaring an emergency."

H. B. No. 989, A bill to be entitled "An Act granting additional powers to Kent Creek Water Control and Improvement District No. One in Briscoe County, Texas; stating effect of this Act; authorizing and providing for ad valorem taxes for works, plants and facilities, and for maintenance, operation and administration of the District, and that all taxes shall constitute a lien and not be barred by limitation; making provisions for issuance of bonds and refunding bonds, their eligibility as investments and exemption from taxation; making provisions relative to exercise of the power of eminent domain; validating the organization and confirmation of the District; providing a severability clause; and declaring an emergency."

H. B. No. 923, A bill to be entitled "An Act to amend Article 1182 of the Revised Civil Statutes of Texas, 1925 Revision, as amended, relating to

Franchise elections in Home Rule cities; and declaring an emergency."

H. B. No. 990, A bill to be entitled "An Act granting additional powers to Mills County Water Control and Improvement District Number One in Mills County, Texas; stating the effect of this Act; authorizing a special procedure for excluding lands from the District; authorizing and providing for ad valorem taxes for works, plant and facilities, and for maintenance, operation and administration of the District, and that all taxes shall constitute a lien and not be barred by limitations, making provisions relative to the exercise of the power of eminent domain, validating the organization and confirmation of the District; providing a severability clause; and declaring an emergency."

H. B. No. 963, A bill to be entitled "An Act regulating the hunting, taking, and killing of Collared Pecary or Javelina in the Counties of Atascosa, Frio, LaSalle, Live Oak, and McMullen; making it unlawful to take or possess said Collared Pecary or Javelina for purposes of barter or sale, or to sell same; providing penalties for violation; and declaring an emergency."

S. B. No. 74, Amending Section 5 of Chapter 95, Acts of the 51st Legislature, Regular Session, 1949, as amended (Section 5 of Article 4590c, Vernon's Texas Civil Statutes), relating to fees payable to the State Board of Examiners in the Basic Sciences by applicants for certificates issued by the Board; and declaring an emergency."

S. B. No. 421, To amend Article 14, Section 125, Chapter 421, Acts of the 50th Legislature, Regular Session, 1947, codified as Article 6701-D of Vernon's Texas Statutes, regulating the use of lighting equipment as warning or signal devices on motor vehicles; repealing all laws in conflict herewith; and declaring an emergency.

(With amendment.)

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 220.

The House has appointed the following Conference Committee on H. B. No. 201: Ramsey, Smith of Jefferson, Roberts, Cory and Blanchard.

H. B. No. 983, A bill to be entitled "An Act amending H. B. 67, Acts 1931, 2nd C. S. 42nd Legislature, Chapter 17, permitting the catching of shrimp for bait purposes in the waters of Baffin Bay in Kleberg and Kenedy Counties, providing a severability or saving clause, and declaring an emergency."

H. B. No. 581, A bill to be entitled "An Act amending Section 6 of the Adult Probation and Parole Law of 1957 (Acts of the 55th Legislature, Regular Session, 1957, Chapter 226, and compiled as Article 781d, Vernon's Code of Criminal Procedure) to provide that when a court determines terms of probation or subsequently changes such terms, the probationer shall be furnished a copy of the order setting forth such terms and conditions; and declaring an emergency."

H. B. No. 862, A bill to be entitled "An Act providing for the transfer of title to certain lands from the State of Texas now under the jurisdiction and control of the Texas Youth Council, to the County of Upshur, aggregating 81 acres of land, more or less, including buildings, structures, improvements, and appurtenances, and being a part of the original tract of land composing the Dickson Colored Orphanage, for the purpose of a public park; repealing all laws and parts of laws in conflict herewith; providing a saving clause, and declaring an emergency."

H. B. No. 984, A bill to be entitled "An Act making it unlawful except under the provisions of this Act for any person to hunt, take, kill or attempt to kill or possess, any game bird or game animal in Taylor County at any time; to take, kill or trap or attempt to take, kill or trap any fur-bearing animal in said county or take, or attempt to take any fish or other aquatic life or marine animals from said county by other means or method; providing the powers, duties and authority of the Game and Fish Commission; requiring the Game and Fish Commission to make investigation with respect to the depletion and waste of the wildlife resources of said county; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said county; defining de-

pletion and waste; providing for the issuance of the antlerless deer permit; providing for a public hearing; providing for the adoption of proclamations, orders, rules or regulations of the Game and Fish Commission and the effective period thereof; providing for the publication of the regulations; providing venue for suits to test the validity of this Act or of the proclamations, rules, regulations or orders of the Commission; providing a penalty; providing for the forfeiture of licenses; defining wildlife resources; repealing certain laws; prescribing a period of time within which the Game and Fish Commission may conclude its investigations, hold its hearings, and promulgate its proclamations, rules, regulations and orders; providing a savings clause; and declaring an emergency."

H. B. No. 529, A bill to be entitled "An Act relating to allowance for traveling expenses and automobile depreciation of members of the Commissioners Court in certain counties of this state; amending Sections 1, 2, and 3 of Chapter 456, Acts of the 52nd Legislature, 1951; repealing Sections 3a and 3b; and declaring an emergency."

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Report of Standing Committee

Senator Willis by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 487, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

#### House Bill 964 Ordered Not Printed

On motion of Senator Fly and by unanimous consent H. B. No. 964 was ordered not printed.

#### Senate Bill 487 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 487 was ordered not printed.

#### Reports of Standing Committees

Senator Hazlewood by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 158, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 486, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 946, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 968, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 986, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

#### House Bill 158 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 158 was ordered not printed.

#### Senate Bill 312 with House Amendments

Senator Moore called S. B. No. 312 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Moore moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert

#### Nays—1

Willis

#### Absent

Baker

#### Absent—Excused

Wood

#### Senate Bill 473 on Second Reading

On motion of Senator Bradshaw and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 473, A bill to be entitled "An Act amending Section 1 of the Insurance Code; repealing all laws and parts of laws in conflict with this Act; repealing certain specific laws to the extent that they conflict with this Act; and declaring an emergency."

The bill was read second time.

Senator Bradshaw offered the following amendment to the bill:

Amend Senate Bill 473, by striking out the semicolon (;) and all words thereafter beginning on line 31 of the printed bill, through and including the semicolon (;) on line 34 of the printed bill.

The amendment was adopted.

Senator Bradshaw offered the following amendment to the bill:

Amend Senate Bill 473 by changing the period at the end of Section 2 to a semicolon and inserting thereafter the following:

"provided however that nothing herein shall repeal any provision of law requiring the payment of annual license fees."

The amendment was adopted.

On motion of Senator Bradshaw and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 473 on Third Reading

Senator Bradshaw moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 473 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Crump
Bradshaw	Dies
Colson	Fly

Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Weinert
Moore	Willis

**Absent**

Baker	Hazlewood
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**Absent—Excused**

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—29**

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

**Absent**

Hazlewood

**Absent—Excused**

Wood

**Senate Bill 468 on Second Reading**

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 468, A bill to be entitled "An Act to validate the establishment organization, and/or creation of all school districts; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 468 on Third Reading**

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 468 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Moffett
Baker	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	

**Nays—5**

Bradshaw	Martin
Hardeman	Willis
Lane	

**Absent—Excused**

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—24**

Baker	Lane
Colson	Moffett
Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hazlewood	Reagan
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert

**Nays—6**

Aikin	Martin
Bradshaw	Roberts
Hardeman	Willis

**Absent—Excused**

Wood



**Reports of Standing Committees**

Senator Wood by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom was referred H. J. R. No. 39, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOOD, Chairman.

Senator Weinert by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 980, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 305, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 306, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

**Senate Bill 483 on Second Reading**

On motion of Senator Roberts and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 483, A bill to be entitled "An Act to amend Chapter 430, Acts of the 55th Regular Session (Vernon's Annotated Civil Statutes (Article 1109i) so as to redefine eligibility of cities and towns to contract with Trinity River Authority of Texas for certain sanitary sewage transportation; etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 483 on Third Reading**

Senator Roberts moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 483 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

**Absent—Excused**

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—30**

Aikin	Crump
Baker	Dies
Bradshaw	Fly
Colson	Fuller

Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Weinert
Moore	Willis

**Absent—Excused**

Wood

**Senate Bill 475 on Second Reading**

On motion of Senator Phillips and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 475, A bill to be entitled "An Act to amend Article 1 of Subchapter IV, Chapter 97, Page 144, Acts of the 48th Legislature, Regular Session, 1943; providing for the transfer of shares of stock in a state bank with certain limitations when the transfer affects a change of control of the bank; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 475 on Third Reading**

Senator Phillips moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 475 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

**Absent—Excused**

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—30**

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis

**Absent—Excused**

Wood

**House Bill 968 Ordered Not Printed**

On motion of Senator Smith and by unanimous consent H. B. No. 968 was ordered not printed.

**Senate Bill 486 Ordered Not Printed**

On motion of Senator Hazlewood and by unanimous consent S. B. No. 486 was ordered not printed.

**Senate Bill 332 on Second Reading**

On motion of Senator Crump and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 332, A bill to be entitled "An Act to amend Article 6640, as amended, Title 115, Registration of the Revised Civil Statutes of Texas, of 1925; said Article pertaining to the filing of notice of proceedings, suit or action affecting the title of land; and declaring an emergency."

The bill was read second time and passed to engrossment:

**Senate Bill 332 on Third Reading**

Senator Crump moved that the Con-

stitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 332 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—24

Aikin	Moffett
Crump	Moore
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis

## Nays—6

Baker	Dies
Bradshaw	Herring
Colson	Owen

## Absent—Excused

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—20

Crump	Moffett
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

## Nays—7

Aikin	Herring
Bradshaw	Owen
Colson	Roberts
Dies	

## Absent

Baker	Moore
Martin	

## Absent—Excused

Wood

## House Bill 505 Re-referred

On motion of Senator Moore and by unanimous consent H. B. No. 505 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

## House Bill 980 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 980 was ordered not printed.

(Senator Martin in the Chair.)

## House Bill on First Reading

The following bill received from the House, was read the first time and referred to the committee indicated:

H. B. No. 529, To the Committee on Counties, Cities and Towns.

## Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 505, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and not be printed.

AIKIN, Chairman.

## House Bill 505 Ordered Not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 505 was ordered not printed.

## Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 629, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that

it do not pass but that the Committee Substitute adopted in lieu thereof do pass and be printed.

AIKIN, Chairman.

C. S. H. B. No. 629 was read the first time.

#### House Bill 629 Ordered Not Printed

On motion of Senator Herring and by unanimous consent H. B. No. 629 was ordered not printed.

#### House Bill 930 Re-referred

On motion of Senator Hudson and by unanimous consent H. B. No. 930 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

#### Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 930, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

#### House Bill 930 Ordered Not Printed

On motion of Senator Hudson and by unanimous consent H. B. No. 930 was ordered not printed.

#### Senate Concurrent Resolution 71

Senator Baker by unanimous consent offered the following resolution:

S. C. R. No. 71, Suspending Joint Rules to consider H. B. No. 437 at any time.

Be it resolved by the Senate of Texas, the House of Representatives concurring that the joint rules be suspended so as to allow either house to take up and consider H. B. No. 437 at any time.

The resolution was read.

On motion of Senator Baker and by unanimous consent the resolution was

considered immediately and was adopted.

#### Reports of Standing Committees

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 269, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 529, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Transportation, to whom was referred H. B. No. 422, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

#### House Bill 269 Ordered Not Printed

On motion of Senator Baker and by unanimous consent H. B. No. 269 was ordered not printed.

#### House Bill 986 Ordered Not Printed

On motion of Senator Roberts and by unanimous consent H. B. No. 986 was ordered not printed.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 419, A bill to be entitled "An Act to amend Chapter 5, Title 17, Article 1391 of the Penal Code of Texas of 1925 by providing that the maximum punishment for burglary at night may be life imprisonment; and declaring an emergency."

H. B. No. 981, An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Mayfair Park Municipal Utility District"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**House Bill 529 Ordered Not Printed**

On motion of Senator Aikin and by unanimous consent H. B. No. 529 was ordered not printed.

**House Bill on First Reading**

The following bill received from the House, was read the first time and referred to the committee indicated:

H. B. No. 984, To the Committee on Game and Fish.

**Report of Standing Committee**

Senator Krueger by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred H. B. No. 984, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

**House Bill 984 Ordered Not Printed**

On motion of Senator Ratliff and by unanimous consent H. B. No. 984 was ordered not printed.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 506, A bill to be entitled "An Act (amending the Insurance Code of Texas, Acts 1951, Fifty-second Legislature, Chapter 21, by adding a new article thereto) to provide that minors not less than ten years of age and without guardians of their estates may contract for and otherwise acquire policies of life, term or endowment insurance, or annuity contracts, and exercise all rights and powers and give valid acquittance thereunder notwithstanding their minority and as though of full legal age; providing for conditions and limitations with respect to the operation of the Act; repealing all laws and parts of laws in conflict and to the extent of such conflict; and declaring an emergency."

H. B. No. 985, A bill to be entitled "An Act to be known as 'The Hidalgo County Hospital District Law of 1959'; providing for a method of establishing and administering a county wide hospital district; providing for the creation of a county wide hospital district coextensive with the boundaries of Hidalgo County for the purpose of hospital service, care and treatment of indigent and needy persons, providing for an election in Hidalgo County to create such district, setting a tax rate and approval thereof; providing for the levy of taxes by the governing body of Hidalgo County for the benefit of such district; providing for a tax not to exceed ten cents (10¢) on the One Hundred Dol-

lar (\$100.00) assessed valuation; providing a method of collecting such taxes; providing for the transfer from Hidalgo County to the hospital district of any unused funds for hospital service, care and treatment of needy and indigent persons; providing that the County Judge and Commissioners of Hidalgo County shall constitute The Board of Managers of such hospital district; prescribing their duties providing for the appointment of an Administrator, his duties and obligations; providing for contracting with other Counties, Cities, Governmental Agencies, Hospitals, and individuals for the care of sick, diseased, or injured needy or indigent persons; providing for establishment of standards of service; providing for liability of the hospital district for hospital service, care and treatment of the county's sick, diseased, or injured needy or indigent persons; providing for a quorum of the Hospital Board of Managers, and that the County Judge will be Chairman of the Board; providing for records to be kept by the Administrator; providing for the manner and method of making purchases for the district and adoption of accounting and control procedures; providing for payment of salaries; providing for annual report of receipts and expenditures of the district; providing for selection and designation of depository for the district; providing for the employment of an Attorney to represent the district; providing that the County and Cities in the County cannot hereafter levy taxes to furnish hospital service, care, or treatment for needy or indigent sick, diseased, or injured persons; providing for procedure to determine if sick, diseased, or injured persons are needy or indigent; providing for method of collecting for hospital services, care and treatment of those able to pay; providing for care of needy or indigent persons at request of other counties and liability for payment thereof; providing for acceptance of donations, gifts, and endowments for hospital district; enacting other provisions relating to the subject; providing an effective date; providing for severability; and declaring an emergency."

H. B. No. 734, A bill to be entitled "An Act amending Article 7094, Vernon's Civil Statutes of the State of Texas, as amended, to provide that the Franchise Tax imposed by Chapter

3, Title 122, of Vernon's Civil Statutes of Texas shall not apply to non-profit water supply or sewer service corporations organized on behalf of cities or towns; and declaring an emergency."

H. B. No. 971, A bill to be entitled "An Act ratifying, confirming and validating the creation and establishment of Colorado County Water Control and Improvement District No. 2 of Colorado County, Texas; recreating said District and declaring it to be a valid and existing water control and improvement District within the boundaries herein referred to; ratifying and confirming the confirmation election and all elections of Directors for said District and all governmental acts and proceedings of said District except proceedings relating to bond elections held within the District prior to the effective date hereof; designating the current Directors of the District and the duration of their respective terms; providing that the ad valorem basis or plan of taxation shall be used by said District; dispensing with the necessity of a hearing on a plan of taxation; vesting in the District all rights, powers, privileges and duties conferred by General Laws now in force or hereafter enacted applicable to water control and improvement Districts created under the authority of Section 59 of Article 16 of the Constitution of the State of Texas except as inconsistent with the provisions hereof; providing that said District shall not be deprived by any provisions hereof or by any proceedings heretofore taken by it from excluding land or other property therefrom under the provisions of applicable law; declaring the District to be a governmental agency, a body politic and corporate; declaring that this Act is enacted pursuant to the authority conferred by Section 59, Article 16, of the Constitution; providing that any bonds of said District hereafter voted, approved by the Attorney General and registered by the Comptroller, sold and delivered, shall be valid and enforceable obligations of such district and incontestable; providing for severability and declaring an emergency."

The House has appointed the following Conference Committee on S. B. No. 220: Jones, O, Richardson, Burkett, Johnson, and Slack.

H. B. No. 993, A bill to be entitled

"An Act amending Section 5½ as contained in Chapter 146, Acts of the Regular Session, Fifty-second Legislature; setting forth power and authority of the State Highway Commission to fix maximum gross, axle, and wheel load in cases where necessary to prevent rapid deterioration of roads and bridges; granting like power to the Commissioners Courts over roads and bridges under their jurisdiction; providing penalties for violations thereof; repealing Article 834 of the Revised Penal Code of 1925, as amended, and all other laws in conflict herewith; providing a saving clause; and declaring an emergency."

S. C. R. No. 26, A Resolution granting permission to Kerr-McGee Oil Industries, Inc., to sue the State of Texas, etc.

S. C. R. No. 27, Granting permission to the George A. Fuller Company of Dallas, Dallas County, Texas, to bring suit against the State of Texas and/or the Board of Regents of the University of Texas in any district court of competent jurisdiction in Texas, and declaring an emergency.

S. C. R. No. 34, Granting permission to Dean Skinner to sue the State, etc.

S. C. R. No. 38, Granting permission to Cyril Verstuyft and wife, Marie DeBacker Verstuyft, to sue the State of Texas and the Texas Highway Department in a court of competent jurisdiction in Bexar County, Texas; etc.

S. C. R. No. 39, Granting permission to Marie Verstuyft to sue the State of Texas and the Texas Highway Department in a court of competent jurisdiction in Bexar County, Texas; etc.

S. C. R. No. 40, Granting permission to Remi Aelvoet and wife, Marie Aelvoet, to sue the State of Texas and the Texas Highway Department in a court of competent jurisdiction in Bexar County, Texas.

H. C. R. No. 116, Be it Resolved by the House of Representatives, the Senate concurring, That the Joint Rules of the House and the Senate be suspended in order that the House or the Senate may take up and consider House Bill No. 75 at any time, and they are hereby suspended.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### House Bill on First Reading

The following bill received from the House was read the first time and referred to the committee indicated:

H. B. No. 963, To the Committee on Game and Fish.

#### Report of Standing Committee

Senator Krueger by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 963, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KREUGER, Chairman.

#### House Bill 963 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 963 was ordered not printed.

#### House Bill 878 Re-referred

On motion of Senator Colson and by unanimous consent H. B. No. 878 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

#### Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
May 5, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 878, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

(President in the Chair.)

#### House Bill 158 on Second Reading

Senator Hardeman moved that Senate Rules 32, 13 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 158 be

placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Secrest
Kazen	Smith
Krueger	Weinert

Nays—5

Baker	Rogers
Dies	Willis
Gonzalez	

Absent

Moore

Absent—Excused

Wood

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 158, A bill to be entitled "An Act amending Sections 181, 186, as amended, 190, 192, 195, 202, 205, 212 as amended, 213, 214, 215, 222, 223, 224, and 235 of the Election Code of the State of Texas and compiled in Vernon's Revised Civil Statutes of Texas as Election Code Articles 13.03, 13.08, 13.12, 13.14, 13.17, 13.24, 13.27, 13.34, 13.35, 13.36, 13.38, 13.45, 13.46, 13.47, and 13.58, respectively, and Section 2 of Chapter 44, Acts of the 52nd Legislature, 1951, compiled as Article 3158 (a) of Vernon's Revised Civil Statutes, so as to provide for the holding of the first and second primary elections on the first Saturday in May, and the first Saturday in June, 1960, respectively, and every two years thereafter; etc.; and declaring an emergency.

The bill was read the second time.

Senator Gonzalez offered the following amendment to the bill:

Amend Section 8 of House Bill 158,

as said section proposes to amend Section 212 of the Election Code of the State of Texas, compiled as Article 13.34 of the Election Code, Vernon's Revised Civil Statutes, as amended, by striking the first sentence of the quoted paragraph designated "212. County and Precinct Conventions" which sentence begins "on the first Saturday after the primary election" and ends with the words "last preceding general election" and substituting in lieu of such sentence the following:

"212. County and Precinct Conventions. On the first Saturday after the primary election day of 1960, and each two years thereafter, there shall be held in each county a county convention of each party to be composed of one delegate from each precinct in such county, for each 25 votes or major fraction thereof, cast for the party's candidate for President in such precinct at the last preceding general election in a presidential election year, which delegate or delegates shall be elected by the qualified voters of each precinct on primary election day and precinct conventions to be held on said day, which county convention shall elect one delegate for each 300 votes or major fraction thereof, cast for the party's candidate for Governor in such county at the last preceding general election."

The amendment was read.

(Senator Martin in the Chair.)

Pending discussion by Senator Gonzalez of his amendment, Senator Aikin occupied the Chair.

(Senator Kazen in the Chair.)

Pending further discussion by Senator Gonzalez of his amendment, Senator Lane occupied the Chair.

(Senator Weinert in the Chair.)

Pending further discussion by Senator Gonzalez of his amendment, Senator Lane occupied the Chair.

On motion of Senator Hardeman the amendment was tabled.

H. B. No. 158 was then passed to third reading.

Record of Votes

Senators Gonzalez, Baker and Willis asked to be recorded as voting



"Nay" on the passage of H. B. No. 158 to third reading.

#### House Bill 158 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the Presiding Officer laid H. B. No. 158 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

#### Record of Votes

Senators Bradshaw, Gonzalez, Willis, Baker and Rogers asked to be recorded as voting "Nay" on the final passage of H. B. No. 158.

#### Senate Joint Resolution 11 on Second Reading

On motion of Senator Gonzalez and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 11, Proposing an amendment to Article III of the Constitution of Texas by adding a new Section 49-C, whereby the Veterans Land Board may make loans to veterans.

The resolution was read the second time.

Senator Gonzalez offered the following amendment to the resolution:

Amend S. J. R. No. 11, by striking out the figures and letter "49-C" wherever they appear below the enacting clause and substituting in lieu thereof the figures "49-D."

The amendment was adopted.

On motion of Senator Gonzalez and by unanimous consent the caption was amended to conform to the body of the resolution as amended.

The resolution as amended passed to engrossment.

#### Senate Joint Resolution 11 on Third Reading

Senator Gonzalez moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended

and that S. J. R. No. 11 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—22

Aikin	Lane
Baker	Owen
Bradshaw	Phillips
Colson	Ratliff
Crump	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Smith
Herring	Weinert
Hudson	Willis
Kazen	Wood

#### Nays—1

Parkhouse

#### Absent

Dies	Martin
Fly	Moffett
Hazlewood	Moore
Krueger	Secrest

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

#### Yeas—24

Aikin	Lane
Baker	Moffett
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Smith
Hudson	Willis
Kazen	Wood

#### Nays—1

Weinert

#### Absent

Dies	Martin
Fly	Moore
Krueger	Secrest

#### Committee Substitute

#### Senate Bill 63 on Second Reading

Senator Bradshaw asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 63 for consideration at this time.

There was objection.

Senator Bradshaw then moved to suspend the regular order of business and take up C. S. S. B. No. 63 for consideration at this time.

The motion prevailed by the following vote:

**Yeas—24**

Aikin	Lane
Baker	Moffett
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Smith
Hudson	Weinert
Kazen	Wood

**Nays—1**

Willis

**Absent**

Dies	Martin
Fly	Moore
Krueger	Secrest

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 63, A bill to be entitled "An Act providing for a certificate signed by a practitioner of the healing arts, in lieu of requiring vaccination or inoculation for admission to public schools and state-supported institutions of higher learning; and providing exemption on religious objections; providing for personal liability and penalties; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Record of Vote**

Senator Willis asked to be recorded as voting "Nay" on the passage of C. S. S. B. No. 63 to engrossment.

**Committee Substitute  
Senate Bill 63 on Third Reading**

Senator Bradshaw moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 63 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Aikin	Martin
Baker	Moffett
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Smith
Hudson	Weinert
Kazen	Wood
Lane	

**Nays—1**

Willis

**Absent**

Dies	Moore
Fly	Secrest
Krueger	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Record of Votes**

Senators Willis and Hardeman asked to be recorded as voting "Nay" on the final passage of C. S. S. B. No. 63.

**Adjournment**

On motion of Senator Weinert the Senate at 9:01 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

**FIFTY-NINTH DAY**

(Wednesday, May 6, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Fuller
Baker	Gonzalez
Bradshaw	Hardeman
Colson	Hazlewood
Crump	Herring
Dies	Hudson
Fly	Kazen